

DEPOSITION OF CHRISTOPHER B. EILAND

April 17, 2006

Pages 1 through 307

**CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:**

Haislip, Ragan, Green, Starkie & Watson, P.C.

566 South Perry Street

Post Office Box 62

Montgomery, AL 36104

Phone: (334) 263-4455

Fax: (334) 263-9167

E-mail: haislipragan@charter.net

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CHRISTOPHER B. EILAND, DVM, MS,
Plaintiff,

Vs. CIVIL ACTION NO.
CV-459-VPM

DR. BYRON L. BLAGBURN,
individually and in his
official capacity, etc.,
et al.,

Defendants.

DEPOSITION OF CHRISTOPHER B. EILAND, taken
pursuant to stipulation and agreement before
Patricia G. Starkie, Registered Diplomat Reporter,
CRR, and Commissioner for the State of Alabama at
Large, in the Law Offices of Balch & Bingham, 105
Tallapoosa Street, Montgomery, Alabama, on Monday,
April 17, 2006, commencing at approximately
9:10 a.m.

VOLUME I

Page 3

EXHIBIT INDEX

DEFENDANT'S EXHIBITS

2	Plaintiff's Response to Defendants'	
6	First Set of Interrogatories	247
7	4 School calendar - Fall of 2003	
	and Spring of 2004	170
5	5/7/04 letter from Dr. McFarland	
9	to Mr. or Mrs. Eiland	164
10	6 Policies and procedures - MS and	
	Ph.D. program	87
7	9/24/04 letter from Dr. Eiland	
12	to Dr. Ed Richardson	294
13	8 8/17/04 letter from Dr. McFarland	
	to Dr. Eiland	281
11	Transcript of conversation between	
15	Dr. Blagburn and Dr. Eiland on	
	5/28/04	235

Page 2

APPEARANCES

FOR THE PLAINTIFF:

Kathryn M. Dickey, Esq.
Attorney at Law
322 Alabama Street
Montgomery, Alabama

FOR THE DEFENDANT:

G. Lane Knight, Esq.
BALCH & BINGHAM
Attorneys at Law
105 Tallapoosa Street
Montgomery, Alabama 36104

ALSO PRESENT:

Dr. Charles Hendrix

EXAMINATION INDEX

CHRISTOPHER B. EILAND

BY MR. KNIGHT 5

Page 4

STIPULATION

It is hereby stipulated and agreed by and
between counsel representing the parties that the
deposition of:

CHRISTOPHER B. EILAND

is taken pursuant to the Federal Rules of Civil
Procedure and that said deposition may be taken
before Patricia G. Starkie, Registered Diplomat
Reporter, CRR, and Commissioner for the State of
Alabama at Large, without the formality of a
commission;

That objections to questions other than
objections as to the form of the question need not
be made at this time but may be reserved for a
ruling at such time as the said deposition may be
offered in evidence or used for any other purpose
by either party provided for by the Statute.

It is further stipulated and agreed by and
between counsel representing the parties in this
case that the filing of said deposition is hereby
waived and may be introduced at the trial of this
case or used in any other manner by either party
hereto provided for by the Statute regardless of

Page 5

Page 7

1 the waiving of the filing of the same.

2 It is further stipulated and agreed by and
3 between the parties hereto and the witness that the
4 signature of the witness to this deposition is
5 hereby waived.

6 * * * * *

7 CHRISTOPHER B. EILAND

8 The witness, after having first been duly
9 sworn to speak the truth, the whole truth and
10 nothing but the truth testified as follows:

11 EXAMINATION

12 BY MR. KNIGHT:

13 Q. State your name, please.

14 A. Christopher Brooks Eiland.

15 Q. And your date of birth?

16 A. 6/27/75.

17 Q. And you understand that you're here today
18 to give a deposition. Have you ever given
19 a deposition before?

20 A. No.

21 Q. Has your attorney explained the process of
22 what a deposition is? I'm going to ask you
23 questions, and you're going to answer to

1 repeat it. I'll be glad to repeat it. I

2 want to make sure that you understand what
3 I'm asking. If you answer, I'm going to
4 assume that you understood the question.

5 Is that fair?

6 A. That's fair.

7 Q. Okay. If you need to take a break for any
8 reason, let me know. I'll be glad to take
9 a break.

10 Have you gone by any other name other
11 than Chris Eiland?

12 A. No.

13 Q. What's your social security number?

14 A. 418-29-7079.

15 Q. How old are you now?

16 A. I'm 30.

17 Q. Okay. And you're a citizen of Alabama?

18 A. Uh-huh (positive response).

19 Q. Where do you currently live?

20 A. Gadsden, Alabama.

21 Q. How long have you lived in Gadsden?

22 A. A year and four months.

23 Q. What's your address?

Page 6

Page 8

1 the best of your knowledge. Do you
2 understand that?

3 A. Yes.

4 Q. Do you understand that you're sworn to be
5 truthful with your answers?

6 A. Yes.

7 Q. Okay. Are you on any kind of medication or
8 drugs or anything today which would prevent
9 you from answering my questions?

10 A. No.

11 MR. KNIGHT: Kay, read and sign,
12 or do you want to --

13 MS. DICKEY: We can waive the
14 signing.

15 MR. KNIGHT: Usual stipulations?

16 MS. DICKEY: Usual stipulations.

17 Q. If you could, try to respond with a yes or
18 no instead of an uh-huh. It just makes the
19 record a lot easier to read. And let's try
20 not to talk over each other. I'll be
21 guilty of that sometimes. I'll try to
22 prevent that. If I ask you something
23 that's not clear for any reason, ask me to

1 A. 189 Eiland Drive.

2 Q. Do you live there -- is it a house or do
3 you rent?

4 A. It's a house.

5 Q. Who do you live there with?

6 A. My wife.

7 Q. What's your wife's name?

8 A. Sarah.

9 Q. Sarah Eiland?

10 A. Sarah Eiland.

11 Q. Do you have any children?

12 A. No.

13 Q. Where did you grow up?

14 A. Gadsden.

15 Q. Did you go to elementary school in Gadsden?

16 A. Yes, sir.

17 Q. High school?

18 A. Yes.

19 Q. What high school did you go to?

20 A. Southside High School.

21 Q. That's a public school in Gadsden?

22 A. Yes.

23 Q. What year did you begin high school?

Page 9

1 A. 1989.
 2 Q. So you graduated in '92?
 3 A. 1993.
 4 Q. What did you do after graduating high
 5 school?
 6 A. I attended Auburn University.
 7 Q. What year did you enter Auburn?
 8 A. 1993.
 9 Q. As an undergraduate, what was your major?
 10 A. Animal and dairy science.
 11 Q. Did you earn a degree in animal and dairy
 12 science?
 13 A. Yes.
 14 Q. What year did you earn that degree?
 15 A. 1997.
 16 Q. What did you do after receiving your
 17 undergraduate degree?
 18 A. I took upper-level science courses and
 19 applied to veterinary school at Auburn
 20 University.
 21 Q. Upper-level science courses. Explain that
 22 a little bit. What is that?
 23 A. Courses like biochemistry, comparative

Page 10

1 anatomy, advanced physiology.
 2 Q. Was this part of a -- were you seeking a
 3 master's degree or was this -- how did you
 4 come to take these classes?
 5 A. It was suggested by the college of
 6 veterinary medicine to help prepare me for
 7 vet school.
 8 Q. Okay. So had you officially entered a
 9 master's degree program or DVM program?
 10 A. No.
 11 Q. Okay. So these were just kind of electives
 12 that really didn't count towards anything
 13 except to prepare you for what you were
 14 going to be doing in the future?
 15 A. At the time, it was suggested that I could
 16 use that. It would help me and benefit me
 17 in veterinary school once I got accepted.
 18 Also it may count toward a master's degree
 19 should I choose to pursue one.
 20 Q. Who suggested that you take those classes?
 21 A. I'm thinking that was Dr. Sartin.
 22 Q. Who is Dr. Sartin?
 23 A. Dr. Sartin is a professor in the vet school

Page 11

1 who does interviews for veterinary
 2 students.
 3 Q. Okay. I understand you entered a Master's
 4 of Science program in 1998; is that
 5 correct?
 6 A. That's correct.
 7 Q. Okay. Tell me what that is and what it was
 8 in. Explain that a little bit.
 9 A. My Master's of Science?
 10 Q. Yes.
 11 A. What it was?
 12 Q. Right. I mean, was it a Master of Science
 13 in a certain discipline or what?
 14 A. It was. It was in the discipline of
 15 parasitology.
 16 Q. And how long is that program?
 17 A. It varies.
 18 Q. Generally?
 19 A. Average?
 20 Q. Right.
 21 A. Around two years.
 22 Q. What did it take to complete that program?
 23 A. You need to take said number of courses to

Page 12

1 amount to so many hours that's required for
 2 a master's, and then you need to do a
 3 research project where you will publish
 4 that.
 5 Q. Was this in the graduate school?
 6 A. Yes.
 7 Q. Explain the research project. What did
 8 that entail?
 9 A. My research project?
 10 Q. Yes.
 11 A. It consisted of going to the humane
 12 society. Cats that were to be euthanized
 13 were -- we collected data from them. We
 14 collected blood, we did x-rays, we gave
 15 physical exams, we necropsied them, took
 16 their heart out and lungs, looked for adult
 17 heart worms. We fixed lung lobes with
 18 glutaraldehyde for histopathology later.
 19 We took fecal samples. We totaled up a
 20 number of prevalence for ear mites. With
 21 the blood work we ran CBCs and blood
 22 chemistries, I think. We also ran
 23 serology, FELV, which is leukemia virus in

Page 13

1 cats; FIV tests to test their prevalence.
 2 We also sent off the blood work to Animal
 3 Diagnostics to test for positive serology
 4 for heart worms in cats. We also ran
 5 in-house tests.
 6 Q. And you're saying we. Who is we?
 7 A. Well, basically me, and at my committee's
 8 approval of it.
 9 Q. You had a committee for your master's
 10 degree?
 11 A. I did.
 12 Q. Who was your committee made up of?
 13 A. My major professor was Dr. Byron Blagburn.
 14 Dr. Jenny Spencer, Dr. Joseph Newton, and
 15 Dr. Ray Dillon.
 16 Q. And you worked with those people doing this
 17 research?
 18 A. I collected the research and did that. I
 19 checked in with them. They're in charge of
 20 what I'm doing. They don't let graduate
 21 students just go collect and do any
 22 research. They want to -- to do that kind
 23 of stuff, you have to have committee's

Page 14

1 approval.
 2 Q. You said you had a major professor.
 3 Explain what that is in the context of the
 4 master's degree.
 5 A. A major professor is someone who is over
 6 the student. He is his mentor, like the
 7 old apprentice mentorship program. You're
 8 supposed to be able to learn from your
 9 major professor. That's who you're
 10 supposed to go to for advice and guidance
 11 in academics, ethical behavior, research.
 12 Q. And this was Dr. Blagburn?
 13 A. Uh-huh (positive response).
 14 Q. How did he come to be your major professor?
 15 A. I worked in his lab as a student worker in
 16 sometime between 1997 and '98, and at that
 17 time I went and asked him if I could be his
 18 graduate student, and he said yes.
 19 Q. It was at his discretion to accept you as a
 20 student, as his mentor, so to speak?
 21 A. He told me that if I applied into graduate
 22 school and got accepted that he would be
 23 happy to serve as my major professor.

Page 15

1 Q. Was there any requirement that he accept
 2 you?
 3 A. No.
 4 Q. Is that generally how it works with major
 5 professors?
 6 A. It's different for each situation.
 7 Q. Does a major professor have more than one
 8 apprentice?
 9 A. Sometimes.
 10 Q. How did you come to work in the
 11 laboratory?
 12 Is this the parasitology laboratory?
 13 A. Yes.
 14 Q. Did I say that correctly?
 15 A. Uh-huh (positive response).
 16 Q. Practiced.
 17 A. How did I come to work in the parasitology
 18 laboratory? A friend of mine worked in the
 19 parasitology lab, and he said that there
 20 was an opening; that they were hiring. And
 21 I wanted more experience with being at the
 22 vet school, and I was interested in
 23 parasites, and so I thought that would be a

Page 16

1 great fit.
 2 Q. Okay. Who hired you to work there?
 3 A. The lab supervisor.
 4 Q. And who was that?
 5 A. Jamie Butler.
 6 Q. Is that a male or female?
 7 A. Female.
 8 Q. When did you first start to work there?
 9 A. Around the summer of 1998.
 10 Q. Was there a course work requirement that
 11 you had to complete as part of your
 12 master's program?
 13 A. Excuse me?
 14 Q. Your master's program, was it course work
 15 and research?
 16 A. Yes.
 17 Q. Both you had to complete before you
 18 graduated?
 19 A. Yes.
 20 Q. Okay. How many semesters of course work?
 21 A. It's difficult to put a number on that. We
 22 were initially on a quarter system, and
 23 then we switched to a semester system. I

Page 17

Page 19

1 was on quarter system when I began. It's
 2 not about the number of quarters, it's
 3 about the number of hours of course work
 4 you have to take.
 5 Q. Roughly two years, one year?
 6 A. It's more likely about a year's worth of
 7 course work.
 8 Q. Okay. And you entered that in the fall of
 9 1998, correct?
 10 A. Yes.
 11 Q. Who were your professors that you can
 12 remember that you took courses from?
 13 A. In my master's work?
 14 Q. With your master's work.
 15 A. Dr. Curtis Bird was one, Dr. Ewald was
 16 another, Dr. Hendrix, Dr. Nusbaum,
 17 Dr. Panangala, Dr. Smith. I can't remember
 18 everybody's name.
 19 Q. Okay. Now, around this same time, you also
 20 entered the doctor of veterinary medicine
 21 program?
 22 A. That's correct.
 23 Q. DVM?

1 A. No.
 2 Q. How is this set up? You have a committee?
 3 A. No.
 4 Q. Do you have a major professor?
 5 A. No.
 6 Q. Basically, you take the classes, do the
 7 clinic, and then how is it determined
 8 whether you graduate?
 9 A. Each year there is a class that's let in.
 10 They all take the same courses at the same
 11 time. It's pretty standard every year.
 12 And you have academic advisors or a dean
 13 who is in charge of that entire class.
 14 Q. Who was the dean?
 15 A. Angarano.
 16 Q. Can you spell that?
 17 A. A-N-G-A-R-A-N-O.
 18 Q. Okay.
 19 A. She was I think the associate dean of
 20 admissions or something like that.
 21 Q. Okay. Everybody in this class kind of goes
 22 through together?
 23 A. Yes.

Page 18

Page 20

1 A. Yes.
 2 Q. That was in the fall of 1998?
 3 A. It was 1999.
 4 Q. 1999. Fall of 1999. Okay. If I refer to
 5 that as DVM, we know what we're talking
 6 about?
 7 A. Yes.
 8 Q. Okay. Tell me about the DVM program.
 9 A. It's a program set up to graduate
 10 veterinarians. You usually take course
 11 work the first few years, followed by
 12 clinical work the last year, which is ended
 13 with a preceptorship where you go and work
 14 with a veterinarian. It's a four-year
 15 program.
 16 Q. Four-year program? How many years of
 17 course work?
 18 A. Two and a half to three.
 19 Q. Clinical work is the last year?
 20 A. Yes.
 21 Q. Is there any kind of research --
 22 A. No.
 23 Q. -- component of this? No part?

1 Q. You have requirements that you have to do?
 2 A. We do. We have to take certain courses.
 3 It's not a choice, really. There are some
 4 electives that you can take, but there's a
 5 curriculum, a core curriculum that you must
 6 take.
 7 Q. Did Dr. Blagburn have any involvement with
 8 you in your DVM program?
 9 A. He taught a veterinary parasitology course.
 10 Q. You took that class from him?
 11 A. Yes.
 12 Q. Dr. Hendrix?
 13 A. He taught a veterinary parasitology course.
 14 Q. Who were some of your other professors?
 15 A. There's a lot at the college of veterinary
 16 medicine.
 17 Q. How many?
 18 A. That teach veterinary students?
 19 Q. Yes.
 20 A. That's a tough call. Let me think about
 21 that for a second. Maybe 50 to 100.
 22 Q. Okay. Any of the other professors or
 23 faculty members that are part of this

Page 21

1 lawsuit, did you take any classes from
2 them?
3 A. I'm sorry?
4 Q. The other people, the other defendants that
5 are in this lawsuit besides Dr. Blagburn
6 and Dr. Hendrix, were any of those
7 defendants professors that you had taken
8 classes from at any time?
9 A. No.
10 Q. Let's go back to the -- in your lawsuit you
11 refer to research that you've done. Is
12 that research related to the research you
13 were telling me about associated with your
14 master's program?
15 A. Yes.
16 Q. Okay. Did Dr. Blagburn use some of this
17 research in any kind of publication?
18 A. Yes.
19 Q. What was that?
20 A. I'm not sure of every instance that he's
21 used my research in publication. I know of
22 twice that he has, and that's in DVM Best
23 Practices Feline Medicine in June of 2004

Page 22

1 he cited my work in that article. And then
2 in June of 2005, he uses my work and says
3 that in a study he conducted and lists my
4 data.
5 Q. You referred to it as your work. What's
6 your basis for calling it your work?
7 A. I was the principal collector of the
8 information.
9 Q. Did he supervise your research,
10 Dr. Blagburn?
11 A. He was one of them.
12 Q. Okay. And tell me what other people
13 supervised this research.
14 A. My committee was over what I was doing, and
15 what I was doing was collecting
16 information.
17 Q. How did you know to collect this
18 information? Is that something the
19 committee said, here's the kind of stuff
20 you need to collect?
21 A. You get to -- as a graduate student, you
22 get to pick what kind of research you're
23 interested in. And this project was an

Page 23

1 idea, and it's molded to my interests and
2 what I want to do and what I'm interested
3 in.
4 Q. You say it was an idea. Whose idea was
5 it? Did you get to choose from a list of
6 topics?
7 A. Actually, I think Dr. Dillon was thinking
8 of an idea of collecting this information
9 and talked to me about it, and I told him
10 that I would be interested in doing that
11 for my master's.
12 Q. So basically, you did the grunt work? You
13 went out and actually got this information?
14 A. That's correct.
15 Q. Okay. Did anybody else collect it with
16 you?
17 A. Yes.
18 Q. Who? Who was that?
19 A. Dr. Cathy Tamblyn.
20 Q. Who is she?
21 A. She is a veterinarian in Auburn.
22 Q. She was a member of the faculty? She was a
23 faculty member?

Page 24

1 A. No.
2 Q. No? At the time, what was she?
3 A. An ex graduate of Auburn University.
4 Q. Was she in the DVM program -- excuse me --
5 the master's program?
6 A. No.
7 Q. She was not? Why was she collecting that
8 information as well?
9 A. Our research study had to be done at the
10 humane society, and she volunteers at the
11 humane society and may be on the board at
12 the humane society and wanted to
13 participate in this study and help in any
14 way she could.
15 Q. Okay. So she actually helped you gather
16 this information?
17 A. She did help.
18 Q. Anybody else?
19 A. No.
20 Q. And what was Dr. Dillon's role again?
21 Is it a he?
22 A. It is.
23 Q. Okay.

Page 25

1 A. He was a committee member.
 2 Q. Okay. Tell me, did Dr. Blagburn come to
 3 you -- did he come to you and ask you if he
 4 could use this work in a publication?
 5 A. When I was dismissed from my department on
 6 December 3rd, 2003, he told me I was to
 7 turn in all my information and research to
 8 him, which I did. And I left it in the
 9 lab. Couple months later, he called me and
 10 wanted to know where that information was.
 11 And I showed him where it was and gave it
 12 to him, and I think he planned on using
 13 it. I'm not sure if he told me he planned
 14 on using it or if I just kind of assumed
 15 that since he was wanting to know where it
 16 was, he was going to use it.
 17 Q. Where was this? You said you showed him
 18 where it was. Where was it?
 19 A. I left it in my office where they told me
 20 to.
 21 Q. Okay. So did he have to ask you permission
 22 to use it in any kind of publication?
 23 A. I think he did.

Page 26

1 Q. Okay. Is there any kind of written
 2 document, contract, anything of that sort
 3 that governs the relationship --
 4 A. When you --
 5 Q. -- between the student and the research?
 6 A. When it became my thesis, I signed a
 7 copyright law that you were supposed to get
 8 the permission of the author before you
 9 made copies of my work or use it in
 10 publications.
 11 Q. You signed a copyright law?
 12 A. I signed my thesis that said that -- I'm
 13 not sure if it was a copyright law or not.
 14 Q. You're not sure if it was a copyright law?
 15 Do you remember exactly what it said?
 16 A. Not exactly. Something similar to what I
 17 said, that you had to have my permission.
 18 It might have been a copyright.
 19 Q. Do you specifically remember it saying that
 20 whoever uses it has to get your permission?
 21 A. To my knowledge, yeah.
 22 Q. Okay. Do you have a copy of this anywhere?
 23 A. Not on me. I do have a copy of it.

Page 27

1 Q. You do?
 2 A. Yeah.
 3 Q. Where do you have a copy?
 4 A. It's encompassed in the thesis that you
 5 submit.
 6 Q. Okay. Do you know if that document has
 7 been produced?
 8 MR. KNIGHT: Kay, do you know if
 9 it has?
 10 MS. DICKEY: I haven't seen it.
 11 Do you know if you gave it to
 12 Prestwood?
 13 THE WITNESS: I don't think I
 14 did. I gave you the first
 15 page, and I think it's the
 16 page after that.
 17 MR. KNIGHT: Can we get that?
 18 MS. DICKEY: I'd like to have it,
 19 too, if you can get that.
 20 THE WITNESS: Be glad to.
 21 Q. At what point did Dr. Blagburn use the
 22 research? Was it after or before your
 23 perceived dismissal? Which I know you're

Page 28

1 disputing that, but that's what I'm going
 2 to call it.
 3 A. All right. When did he use my research is
 4 the question?
 5 Q. Right, or the research.
 6 A. The research? I'm guessing June 2004 was
 7 the first time I was aware of it.
 8 Q. June 2004?
 9 A. Yes.
 10 Q. And that was in what context?
 11 A. The article that I told you where he
 12 referenced me.
 13 Q. Okay.
 14 A. And also I think he was presenting my work
 15 at the AAVP or what you would call
 16 conferences or continuing education.
 17 Q. Have you tried to get this research from
 18 Auburn?
 19 A. No. I was told that it was to be left
 20 there. That after December 3rd, 2003, I
 21 would not have access to that information
 22 anymore.
 23 Q. Who told you that?

Page 29

1 A. Dr. Blagburn.
 2 Q. And when were you told that?
 3 A. December 3rd in the meeting where I was
 4 dismissed from my department.
 5 Q. Okay. Do you remember exactly what he
 6 said?
 7 A. He said -- hold on. Let me think. I asked
 8 him -- they told me -- Dr. Hendrix and him
 9 told me that they would write me good
 10 letters of recommendation to other
 11 schools. And I asked them if I could take
 12 my research with me, and they said no, that
 13 after today I would no longer have access
 14 to that research.
 15 Q. Okay. Did you make any copies of your
 16 research?
 17 A. I have copied it before. I don't have any
 18 copies of it.
 19 Q. You don't presently have any copies of it?
 20 A. No.
 21 Q. You said it was in your office and you had
 22 to show him where it was?
 23 A. Yes.

Page 30

1 Q. This was after December 3rd, 2003?
 2 A. Right.
 3 Q. Did you have access to it at that time?
 4 Could you have gone in --
 5 A. No.
 6 Q. When did you graduate with your DVM?
 7 A. It was May of 2003.
 8 Q. What was your GPA?
 9 A. I'm guessing a 3 point something, 3.2
 10 maybe.
 11 Q. Okay. Did you graduate on time?
 12 A. I did.
 13 Q. Did you ever have any problems with any of
 14 the classes associated with your DVM? Did
 15 you ever fail a class?
 16 A. No. I've never failed a class.
 17 Q. You've never failed a class?
 18 A. I never failed a class in vet school.
 19 Q. Okay. Have you ever failed a class?
 20 A. Yes.
 21 Q. And when was that?
 22 A. I can't exactly remember the dates. You
 23 have copies of my transcripts, right?

Page 31

1 Q. Yes, I do.
 2 A. It would have all those grades in there.
 3 Q. Right. Do you remember what class it was?
 4 A. Recently, most recent, I've received an F,
 5 which is failing, in statistics.
 6 Q. Before that?
 7 A. I remember failing an animal biology
 8 course.
 9 Q. And was that undergrad?
 10 A. Yes.
 11 Q. Did you ever fail a class in your MS
 12 program?
 13 A. No.
 14 Q. When did you graduate with your MS?
 15 A. That was August of 2003.
 16 Q. Okay. What was your GPA in that?
 17 A. I'm guessing a 3.7.
 18 Q. Okay.
 19 A. 3.7.
 20 Q. Why did it take you so long to graduate? I
 21 mean, if that is long. I'm not really
 22 familiar. I think you said it was a
 23 one-year program, and you went in in '98.

Page 32

1 A. Average is two.
 2 Q. Why did it take you until August 2003 to
 3 graduate?
 4 A. There are -- that's the normal way would be
 5 to get a master's. There are programs that
 6 are dual-degreed programs where you can get
 7 a master's and a Ph.D. and a DVM at the
 8 same time. Those are going to take longer
 9 than the two years needed just for a
 10 master's. I was accepted into the college
 11 of veterinary medicine after a year's worth
 12 of being in my master's. That was an
 13 exception that Dr. Janicki and Dr. Wolfe
 14 allowed. It's my understanding that if
 15 you're in a master's program, you can't
 16 start veterinary school until you finish
 17 your master's program unless you get some
 18 kind of clearance first. And as far as I
 19 know, they -- Dr. Janicki and Wolfe cleared
 20 me for continuing on my master's while I
 21 was in vet school like I was in a
 22 dual-degreed program.
 23 Q. Okay. Who is Dr. Janicki?

Page 33

1 A. He is associate dean of research at the
2 college of veterinary medicine.
3 Q. And who is Dr. Wolfe? Is it Dr. Lauren
4 Wolfe?
5 A. Dr. Lauren Wolfe was the head of the
6 department of pathobiology at the college
7 of veterinary medicine.
8 Q. Did you talk to them about making this
9 exception for you?
10 A. Yes.
11 Q. Do you recall the specifics of that
12 conversation?
13 A. No. Just if it was possible.
14 Q. But they're not required to do this?
15 A. I'm really not sure on those rules or
16 regulations.
17 Q. All right.
18 A. I was told --
19 Q. You thought they were doing you a favor?
20 A. I just knew that I had heard -- someone had
21 told me that I might need to get clearance
22 first, so I checked with them, the
23 appropriate administrators for that, and

Page 34

1 then they said that would be fine. It
2 wasn't a big ordeal.
3 Q. Were you appreciative of that? Did you
4 think that was --
5 A. Yes.
6 Q. Why do you think they did that?
7 A. Because they knew I would be committed to
8 finishing my master's. I think the big
9 fear there and why that policy was set up
10 was where a lot of students would start a
11 master's project and use that to get into
12 the college of veterinary medicine, and
13 then once they're in the college of
14 veterinary medicine, they won't finish
15 their master's. So the department has lost
16 money by investing time in you to take
17 courses, and then you don't finish up and
18 do the work and do some research for Auburn
19 University.
20 Q. Do you think the faculty regarded you as a
21 good student associated with your MS and
22 your DVM?
23 A. Yes.

Page 35

1 Q. What makes you think that?
2 A. I had a good relationship with all of the
3 faculty members. I was president of my
4 class all four years at the college of
5 veterinary medicine, and my job was to act
6 as the liaison sometimes between the
7 faculty and the students, and I kept good
8 relationships with the faculty.
9 Q. Tell me about your relationship with
10 Dr. Blagburn during this time. Just --
11 A. What time?
12 Q. Kind of explain -- your relationship that
13 you had with Dr. Blagburn during when you
14 were getting your DVM and MS.
15 A. It was a great relationship. He was always
16 helpful. He was a very smart man. He's a
17 world-renown parasitologist and he was
18 there to help me when I needed help.
19 Q. Explain that a little bit. Can you think
20 of specific instances where he helped you
21 out?
22 A. Well, a lot of times questions are going to
23 come up when you're collecting research,

Page 36

1 when you're researching articles, when I'm
2 trying to learn as much as I can about the
3 particular topics. And when I can go to
4 someone who has read a lot of articles and
5 who knows a lot of information, they can
6 tell me more information to help my
7 learning, help me grow in that field.
8 Q. And this is associated with the research
9 you were doing with your master's, you're
10 saying?
11 A. Research in parasites.
12 Q. Course work, things like that?
13 A. Mainly just parasites. Parasitology.
14 Q. What is that?
15 A. Parasitology?
16 Q. Yes.
17 A. The study of parasites.
18 Q. So you would go to him and ask him
19 questions that if you had trouble in a
20 class, you would ask him to explain
21 something to you? I mean, is that
22 accurate?
23 A. While I was there, I was trying to learn as

Page 37

1 much as I could about parasitology.
 2 There's two people there who know the most
 3 about parasitology, and that would be
 4 Dr. Blagburn and Dr. Hendrix. They are the
 5 experts in the field of parasitology. I
 6 don't think anybody at the college of
 7 veterinary medicine would know more about
 8 parasitology than those two. And I wanted
 9 to be a parasitologist. I wanted to know
 10 as much information as I could. These are
 11 two people to get that information from,
 12 good people.

13 Q. Okay. Dr. Blagburn, was he always -- would
 14 you characterize him as very helpful
 15 throughout your entire DVM and MS program?

16 A. He was helpful.

17 Q. Okay. Did he ever not help you with
 18 anything that you wanted him to help you
 19 with?

20 A. Of course, they would like for you to do as
 21 much on your own as possible and save going
 22 to them when you just couldn't find answers
 23 yourself. The idea of graduate research is

Page 38

1 to learn where you can get information and
 2 where you can research information, and you
 3 try to learn and teach yourself. Sometimes
 4 you may need help, and that's what they're
 5 there for.

6 Q. Okay. And you mentioned he would help you
 7 out with research. Tell me how involved he
 8 was in helping you out with research
 9 related stuff.

10 A. He may know of a study that I wasn't
 11 talking about, and he might say, well, if
 12 you'll go find this study, it may help you
 13 out if you'll go read this. He had a lot
 14 of knowledge that he knew what work had
 15 been done in the past, what had been
 16 published in the past.

17 Q. Okay. And can you give me an idea of how
 18 many times you went to him with asking help
 19 for research related things?

20 A. I can't give you a number on that.

21 Q. Is it fair to say it was a pretty good
 22 amount?

23 A. It was when needed. Like I said, if I

Page 39

1 could do it myself, I tried to. I tried to
 2 limit the times I went and asked him for
 3 help if I could do it myself.

4 Q. What about your relationship with
 5 Dr. Hendrix during this time? Can you
 6 explain that a little bit?

7 A. He was the other parasitologist in the
 8 department of pathobiology. He was one of
 9 my professors in veterinary school. He was
 10 a good teacher of parasitology, and any
 11 time you needed help, he would help you in
 12 parasitology.

13 Q. And you would go to him with basically the
 14 same things you would do with
 15 Dr. Blagburn? You would ask him to explain
 16 things related to your course work?

17 A. If I had a question I thought he could help
 18 me with, I would go ask him.

19 Q. Okay. And would you get him to help you
 20 with research?

21 A. I don't think he ever helped me with
 22 research.

23 Q. Okay. What about your relationship with

Page 40

1 Dr. Janicki during this time? Explain
 2 that.

3 A. I had no real relationship with Dr. Janicki
 4 besides him being the associate dean of
 5 research.

6 Q. Did you ever talk to him?

7 A. In passing.

8 Q. Never went to him for any help or anything
 9 like that?

10 A. Not that I can recall.

11 Q. So neutral on that, not good or bad, just
 12 didn't spend that much time with him; is
 13 that correct?

14 A. I didn't spend any time with him.

15 Q. Okay. Dr. Wolfe?

16 A. My relationship with Dr. Wolfe?

17 Q. Yes.

18 A. It was a good relationship.

19 Q. And tell me again -- I might have already
 20 asked you -- who is Dr. Lauren Wolfe?

21 A. He was the department head for
 22 pathobiology. Head of the department of
 23 pathobiology.

Page 41

- 1 Q. Tell me about y'all's relationship.
 2 A. I would see him frequently in that
 3 department, and we always had a good
 4 relationship. He would ask me how things
 5 were going, I would answer him, things were
 6 going good or bad. And he would tell me
 7 stop by and see him if I needed help with
 8 something, but I don't remember going and
 9 talking to him about anything.
 10 Q. He offered to help you out whenever you
 11 needed it, basically?
 12 A. Yeah. I can't remember those exact words,
 13 but that was his attitude.
 14 Q. Right. And did you say you ever went to
 15 him for help with anything that you recall?
 16 A. Not that I recall, unless it had something
 17 to do with something that I needed within
 18 pathobiology, and then that's who you go
 19 to. He's the head of the department, so if
 20 I needed something and Blagburn couldn't
 21 clear it, I would go to him.
 22 Q. So there were things that you went to him
 23 with?

Page 42

- 1 A. If you need a key to the department of
 2 pathobiology, you're going to go through
 3 his office. If you need some kind of
 4 clearance or if you need something in
 5 pathobiology, you're going to have to go to
 6 Dr. Wolfe.
 7 Q. And did you do that kind of stuff? Did you
 8 ever go to his office for these type
 9 things?
 10 A. I think every graduate student who gets
 11 into the department of pathobiology is
 12 going to go through those same things. But
 13 other than that, nothing unusual.
 14 Q. He always helped you out with whatever it
 15 was that you needed?
 16 A. His secretary and him helped, yes.
 17 Q. Any problems between you two?
 18 A. Never.
 19 Q. Any problems between you and Dr. Blagburn
 20 during this time up until 2003?
 21 A. Never.
 22 Q. Dr. Hendrix?
 23 A. Never.

Page 43

- 1 Q. Okay. Dr. Janicki?
 2 A. Never.
 3 Q. Have any relationship with Stephen
 4 McFarland?
 5 A. No.
 6 Q. And just for the record, who is Stephen
 7 McFarland?
 8 A. He is the dean of the graduate school and
 9 maybe the provost also.
 10 Q. Okay.
 11 A. Acting provost.
 12 Q. Okay. Have any involvement with him --
 13 A. No.
 14 Q. -- up until 2003, fall of 2003?
 15 A. Basic graduate requirements had to be
 16 cleared through the dean of the graduate
 17 school, so if I had any interaction with
 18 him, it was for that.
 19 Q. Never had any problems with him?
 20 A. No.
 21 Q. Ed Richardson. Can you, for the record,
 22 tell me who he is.
 23 A. He's the president of Auburn University.

Page 44

- 1 Maybe interim president. They may have
 2 taken that off now. I never had any
 3 dealings with him. Never met him.
 4 Q. Okay. Did you have any problems with any
 5 faculty member at all during your DVM and
 6 MS programs that you can recall?
 7 A. No, not that I can recall.
 8 Q. Any problems with any students during this
 9 time?
 10 A. Not that I can recall.
 11 Q. Did you ever have to file a grievance
 12 during your time that you were in these two
 13 programs?
 14 A. No.
 15 Q. Did you ever consider filing a grievance?
 16 A. No.
 17 Q. I think I saw in some of the documents that
 18 were produced something to the effect that
 19 you were -- had enforced academic
 20 dishonesty issues with your fellow
 21 students. Do you recall what that
 22 involved?
 23 A. The vet school leaves it -- when you're a

Page 45

1 veterinary student, each class is
 2 responsible for policing their own
 3 classmates with academic honesty. I was
 4 class president. I found myself in a
 5 position at times where I was involved in
 6 selecting people for the honor court
 7 committee, which is the people who are on
 8 the committee that will hear grievances of
 9 academic dishonesty and things like that.
 10 I was involved in selecting, helping select
 11 those members for each year's class for my
 12 class. We would go through a period of
 13 selecting justices, screening the class,
 14 the class would pick who they wanted, and I
 15 would tally those votes and be a part of
 16 it. As that, sometimes people would come
 17 to me and tell me that they had an idea
 18 that somebody was cheating, and I would
 19 lead them to the appropriate actions that
 20 they needed to take.

21 Q. Go into specific instances that you
 22 remember, that you recall, if you can.

23 A. There would be a veterinary student who

Page 46

1 would tell me that they think they see
 2 other people -- two people looking on each
 3 other's tests during a test, and what
 4 should they do about it. And I would tell
 5 them what steps they needed to take.

6 Q. What steps do you remember recommending?

7 A. I can't -- it's been a while since -- it's
 8 been a couple of years since I've read over
 9 what exactly a veterinary student was
 10 supposed to do. At the time, I was real
 11 familiar with what you were supposed to do,
 12 what steps were to be taken. I'm not sure
 13 if -- there's one or two ways in which you
 14 can do it. I think that you may be able to
 15 tell the dean of the vet school, or you may
 16 need to file a grievance with the honor
 17 court.

18 Q. Is this the academic honesty committee?

19 A. No.

20 Q. No? The honor court is something
 21 different?

22 A. Strictly for veterinary students.

23 Q. Okay. So there are certain policies that

Page 47

1 are set out there?

2 A. Yes.

3 Q. You would try to tell them to follow these
 4 policies?

5 A. Right. Each student was supposed to read
 6 the guidelines, the policies and
 7 procedures. There's policies and
 8 procedures for Auburn University as a
 9 whole, there's policies and procedures for
 10 a graduate program in biomedical sciences,
 11 there's policies and procedures that are
 12 set up for specific veterinary students in
 13 the veterinary classes. Each student is
 14 supposed to know what they're supposed to
 15 do, but at times they would come to me for
 16 advice.

17 Q. Okay. In fall of 2003, am I correct that
 18 you entered the doctor of philosophy
 19 program in biomedical sciences? Is that
 20 correct?

21 A. That's correct.

22 Q. Do you know what date you started classes
 23 there, when the fall semester began?

Page 48

1 A. First day of class.

2 Q. Okay. Is it August, September?

3 A. May have been August. May have been
 4 September.

5 Q. Can we just call that the Ph.D. program?

6 A. Yes.

7 Q. So when I say Ph.D. program, you'll know
 8 that I'm referring to the doctor of
 9 philosophy program in biomedical sciences?

10 A. Yes.

11 Q. Okay. Tell me about just generally the
 12 Ph.D. program. It's housed in the graduate
 13 school; is that correct?

14 A. It's housed in the graduate school? Any
 15 kind of Ph.D. or master's program is going
 16 to be under the graduate school.

17 Q. And just explain what it is generally.

18 A. Ph.D. program is very similar to a master's
 19 program but is more complex. Basically,
 20 you're getting your doctor's degree, so
 21 you're going to have to do more independent
 22 research, independent thought processes,
 23 those kind of things.

Page 49

- 1 Q. What are the requirements to graduate?
- 2 A. Similar to a master's. You would have to
- 3 take a set amount of hours and do this
- 4 amount of research.
- 5 Q. Okay. So there's two components, course
- 6 work and then a research component?
- 7 A. Yes.
- 8 Q. Okay. Tell me about the course work
- 9 requirement. How long is that? What do
- 10 you do?
- 11 A. I think that it is two years of course
- 12 work, or it can be spread out on average to
- 13 about two years of course work. It's upper
- 14 level course work. Freshmen and sophomores
- 15 take 100, 200, juniors take 300, seniors
- 16 take 400 level courses, graduate students
- 17 would take five or 600 level. A Ph.D.
- 18 student would take seven or 800 level, and
- 19 that would be the highest level of course
- 20 work. So the course work is going to be
- 21 more demanding and tougher.
- 22 Q. What type of classes would you take?
- 23 A. Advanced courses. Not just your basic

Page 50

- 1 courses. They would be more advanced.
- 2 Q. Right. Tell me about the research work.
- 3 Is there a thesis that you would ultimately
- 4 do? Is that what the research was for?
- 5 A. Yes.
- 6 Q. Explain that generally, what a thesis is
- 7 and how the research factors into that.
- 8 A. A thesis is going to be your defense of the
- 9 research and the idea that you are
- 10 hypothetically trying to prove or
- 11 disprove. The research is going to help
- 12 you do that. You're going to collect
- 13 information and either prove your
- 14 hypothesis to be correct or not correct.
- 15 So you would collect your information and
- 16 do research, and you may need to find out
- 17 that you need to collect more information
- 18 and do more research. Then you would try
- 19 to defend that information and prove your
- 20 point so that hopefully, your research
- 21 would prove the point or the hypothesis
- 22 that you had.
- 23 Q. What was your thesis? What was your

Page 51

- 1 hypothesis?
- 2 A. I collected a lot of information, so it's
- 3 multi layered. One theory -- one
- 4 information that we collected, of course,
- 5 was prevalence information. That was more
- 6 towards my master's. You could detect how
- 7 many. That's not too hard of a
- 8 hypothesis. I think there's -- the
- 9 population, the prevalence of heart worm
- 10 disease in cats is five percent or ten
- 11 percent. If I actually go do this
- 12 research, I found that it was at two
- 13 percent by necropsy, 15 percent by
- 14 serology.
- 15 As I went toward my Ph.D, we were going
- 16 to investigate the histopathology behind
- 17 it, the radiographs, the clinical signs,
- 18 how that compared to an experimental model
- 19 of experimentally infecting cats with heart
- 20 worms, compare that result with the
- 21 information in the natural setting that we
- 22 had collected at the humane society.
- 23 Hopefully, we would learn a connection

Page 52

- 1 between feline heart worms disease and
- 2 radiographic signs of asthma, testing the
- 3 serology to find a better test to diagnose
- 4 these heart worm infections.
- 5 Q. Tell me about the research that you
- 6 actually did do. Some of your research --
- 7 or was it all of your research that was
- 8 associated with your master's program, is
- 9 that what you used for this or were going
- 10 to use?
- 11 A. From June 2001 until June 2003, I collected
- 12 a lot of information over at the humane
- 13 society on these cats. I would take that
- 14 back to the vet school and do some work
- 15 also.
- 16 I did not use all the information I
- 17 collected for my master's. Some of that,
- 18 it was too much information just for a
- 19 master's project. The amount of
- 20 information I collected was not normally
- 21 collected by a master's student. It would
- 22 be more geared toward a Ph.D. student.
- 23 Some of the information was going to be

Page 53

1 used towards my Ph.D. program.

2 That was discussed in my exit interview
3 with Dr. Blagburn and my committee of
4 Dr. Spencer, Dr. Newton, and Dr. Dillon.
5 When I was defending my thesis to them,
6 at the end of that meeting they said, Chris
7 is going to stay here at Auburn. He's
8 going to continue in his Ph.D. -- continue
9 doing the work with feline heart worm
10 disease that he started. He's going to use
11 the excess information from the two-year
12 study he did and use that toward his Ph.D.,
13 which may consist of more research of
14 experimentally infecting cats with heart
15 worms and comparing the two.

16 Q. Did you actually do any research when you
17 were in the Ph.D. program?

18 A. Let's see. Collecting new research, like
19 the experimentally infecting cats? That
20 would be the thing that was -- that we had
21 talked about doing, and we hadn't started
22 that yet.

23 Q. Is that answer no, you didn't do any

Page 54

1 additional research associated when you
2 entered the Ph.D. program?

3 A. I entered the Ph.D. program in August of
4 2003, and from then until December of 2003,
5 I don't think I collected any research
6 information.

7 Q. Okay. What generally happens with research
8 when a student leaves a university?

9 A. I'm not sure what generally happens when
10 you leave the university.

11 Q. Right. I mean, would you take it with you?

12 A. I doubt that.

13 Q. You think you would leave it at the
14 university?

15 A. Yes.

16 Q. Okay. Would it stay locked up in a cabinet
17 or would it be available for other students
18 who might be doing similar projects to use?

19 A. I'm not sure if other students could look
20 at that information or use that research.
21 Usually it's filed away.

22 Q. Okay. Did you use any other student's
23 research when you were doing your work?

Page 55

1 A. No.

2 Q. Do you know where it's filed away?

3 A. In different labs.

4 Q. Okay. What does that mean? I mean, I
5 don't know what a lab is.

6 A. I'm not sure who's responsible for keeping
7 it. There's not a set department or
8 medical records, you know, at the clinic
9 that keeps up with medical records. We
10 don't have a department that keeps up with
11 old research that I know of.

12 Q. It wouldn't be under lock and key, would
13 it?

14 A. Yes, some studies would be.

15 Q. Okay. Do you know if your research would
16 have been?

17 A. It was -- I left my research locked in a
18 lab, and I'm not sure anybody knew it was
19 there, really, until I showed Dr. Blagburn
20 where it was. It's there with other
21 research projects. I'm not sure if they're
22 done by graduate students or if it's just
23 the University's professors' research.

Page 56

1 Q. In a filing cabinet?

2 A. Or on the shelf.

3 Q. On the shelf?

4 A. Yes.

5 Q. There were other research projects from
6 years past there with it?

7 A. Uh-huh (positive response). Yes.

8 Q. And these were research projects that other
9 students had done?

10 A. Not always. I've never -- I don't -- I've
11 never seen other graduate students'
12 research kept on a shelf. I know that
13 Dr. Blagburn in his lab does research and
14 Dr. Hendrix does research, and when they
15 finish a project, they put it in a binder
16 and put it on the shelf.

17 Q. Okay. But, again, students don't take this
18 research home with them?

19 A. When they graduate?

20 Q. Right.

21 A. I'm guessing no, that they don't take it
22 home with them. They would leave it. The
23 actual information and raw data would be

Page 57

1 left at Auburn University.
 2 Q. Did you ever talk about -- prior to
 3 December 3rd, 2003 talk about your research
 4 with Dr. Blagburn or any other professor at
 5 Auburn?
 6 A. Yes.
 7 Q. That's probably a bad question. It's too
 8 general. Talk about what would happen to
 9 it.
 10 A. In my defense, this meeting with my
 11 committee, I was under the impression that
 12 that information was going to be used by me
 13 in finishing my Ph.D. program.
 14 Q. That was the agreement going in or --
 15 not -- that is what y'all had discussed
 16 going in, that you did all of this
 17 research, it's good research, you've got a
 18 lot of it, you can use it for your Ph.D?
 19 Is that what you're referring to?
 20 A. That's correct.
 21 Q. Okay. No other agreement or no other
 22 discussion relating to what's going to
 23 happen with this research once I ultimately

Page 58

1 leave Auburn?
 2 A. I never had a discussion on what would
 3 happen to the research after I left Auburn
 4 except for in the December 3rd, 2003
 5 meeting when I was told that I was leaving
 6 Auburn and I would no longer have access to
 7 that research.
 8 Q. Okay. Tell me about the Ph.D. program.
 9 And you kind of touched on this a little
 10 bit, but go into a little bit more detail
 11 about how you get accepted into the Ph.D.
 12 program.
 13 A. With all programs, I think that you must
 14 fill out an application or apply to the
 15 graduate school and meet the basic
 16 requirements needed for that program, and
 17 then you're accepted or not accepted.
 18 Q. What were the requirements?
 19 A. Off the top of my head, I can't remember
 20 what the requirements were for the Ph.D.
 21 program or master's program for acceptance.
 22 Q. Did you have to have a DVM?
 23 A. No.

Page 59

1 Q. An MS?
 2 A. No.
 3 Q. Undergrad degree?
 4 A. Probably.
 5 Q. Okay. I mean, just tell me what you did.
 6 When you decided that I want to get my
 7 Ph.D, just take me through those steps.
 8 A. I think at Auburn University it's set up
 9 that if you've received your master's
 10 already and you want to enroll in the Ph.D.
 11 program, you want to apply and get accepted
 12 into the Ph.D. program, if you finish your
 13 master's and you're in good standing
 14 gradewise with a 3.7 like I was, you're
 15 automatically enrolled into a Ph.D. program
 16 if you apply for it. That's all it took.
 17 Q. So basically, you go -- who did you go to
 18 and sign up for it with?
 19 A. It has to be cleared with the graduate
 20 school and either Dr. Janicki, who was
 21 associate dean of research, would help you
 22 clear that with the graduate school, or
 23 Dr. Blagburn could talk to Dr. Janicki. I

Page 60

1 think the final authority goes through
 2 Dr. McFarland or the dean of the graduate
 3 school.
 4 Q. Okay. How do you choose what Ph.D. you
 5 want to get? I mean, explain that.
 6 There's Ph.D.'s in numerous things; is that
 7 correct?
 8 A. Definitely. It used to be set up that you
 9 would study a specific topic like
 10 parasitology or immunology or histology or
 11 anatomy or radiology, something like that,
 12 a specific discipline, and then I think you
 13 were awarded a degree in parasitology or
 14 immunology. Sometime in 2000 and something
 15 or around 2003, they changed it to everyone
 16 who graduates with a master's or Ph.D.
 17 receives a degree in biomedical sciences.
 18 You would still have a specific area which
 19 you were trained in because they are going
 20 to have to produce parasitologists or
 21 immunologists. If you were going to go
 22 into that field, you would still have a
 23 major which would be that.

Page 61

Page 63

1 Q. Okay. So at the end of the day, you would
2 have a Ph.D. in biomedical sciences?
3 That's what your degree on the wall would
4 say, correct?
5 A. I think that's correct.
6 Q. Would not say pathobiology or anything like
7 that?
8 A. It would not.
9 Q. Are those different disciplines under -- in
10 the doctor of philosophy program in
11 biomedical sciences? Is pathobiology a
12 discipline, so to speak?
13 A. There are definitely different disciplines
14 or areas of interest in which you need to
15 be trained in. It wouldn't make much sense
16 for me to try to go apply for a job at
17 Mississippi State as a parasitologist if
18 I've stayed at Auburn and studied anatomy
19 and got my degree in biomedical sciences.
20 They really wouldn't want me to be their
21 parasitology teacher. So there's
22 definitely areas of interest and
23 disciplines there.

1 large animal type department. I'm not sure
2 about those.
3 Q. Tell me this. You don't choose a
4 particular department, correct?
5 A. I think you do choose a department. When
6 you're -- it's different for each student
7 who goes through graduate school, but I
8 think you tour through a specific
9 department like pathobiology. And the
10 initial way of selecting, if a student
11 comes in with no preconceived ideas of what
12 area they want to study, they can float
13 around to certain departments, go
14 underneath different professors and see
15 which topics interest them.
16 Q. All right. So the first day when you sign
17 up, you don't say, I'm going to do a Ph.D.
18 program in biomedical sciences in the
19 clinical science department?
20 A. I don't know what most people do. I
21 enrolled and had set up from the beginning
22 that I was going to be in parasitology in
23 the department of pathobiology.

Page 62

Page 64

1 Q. What are those disciplines that you're
2 aware of?
3 A. One would be parasitology. You could
4 specialize in immunology, histology,
5 anatomy, pathology, dermatology, radiology.
6 Q. Any other ones you can think of?
7 A. There are many others.
8 Q. Okay. What about departments, so to
9 speak? Are there departments within the
10 doctor of philosophy program --
11 A. There are.
12 Q. -- in biomedical science? What are those?
13 A. They've recently had some changing in that,
14 too. It's not set up the way it used to
15 be.
16 Q. Just tell me what it was when you were
17 there.
18 A. I can't remember exactly the way it was
19 before when I first enrolled. I kind of
20 know how it changed near the end of 2003.
21 The departments were anatomy, histology,
22 and physiology, pathobiology, clinical
23 sciences, and possibly a radiology or a

1 Q. Was that because you were going to do your
2 work under Dr. Blagburn, who was located in
3 that department?
4 A. I was interested in parasitology, and
5 Dr. Blagburn said that he would like for me
6 to -- he would like to be my major
7 professor and for me to study parasitology
8 under him.
9 Q. Okay. And Dr. Blagburn was located --
10 A. In pathobiology.
11 Q. -- in the department of pathobiology.
12 Who else was located in that
13 department?
14 A. Parasitology-wise, topics of my interest
15 would be Dr. Hendrix and Dr. Blagburn.
16 Q. Okay. Who were professors in the, say,
17 anatomy, histology --
18 Is that correct? And one other word I
19 didn't catch.
20 A. Physiology.
21 Q. -- and physiology. Who were professors in
22 that?
23 A. Who were professors in that department?

Page 65

1 Q. Yes.
 2 A. You want me to name some?
 3 Q. Yes.
 4 A. There's a Dr. Kincaid. Dr. Morris,
 5 Dr. Sartin, Dr. Kemppainen, Dr. Marshall.
 6 There's others there.
 7 Q. Okay.
 8 A. I can't remember all their names.
 9 Q. Clinical science?
 10 A. Clinical sciences?
 11 Q. Professors that you can remember in there?
 12 A. Dr. Dillon is in the department of clinical
 13 sciences. Their names are --
 14 Q. It's okay --
 15 A. Hard to remember the names.
 16 Q. If you don't remember, that's fine. If you
 17 can't remember, just tell me you can't
 18 remember.
 19 So when you first entered the Ph.D.
 20 program in biomedical sciences, were all
 21 these people options for you to go to to
 22 ask to mentor you to be your major
 23 professor so that you could receive a

Page 66

1 Ph.D.?
 2 A. I'm sorry. Could you repeat that question?
 3 Q. Sure. To receive a Ph.D. in biomedical
 4 sciences --
 5 Which is what you were ultimately going
 6 to receive, correct?
 7 A. Right.
 8 Q. -- were these professors, the ones in
 9 anatomy, histology, physiology,
 10 pathobiology, clinical sciences, and
 11 possibly radiology, were all those
 12 potential people that you could have gone
 13 to, potential major professors who you
 14 could have done your work for?
 15 A. If you were initially enrolling in the
 16 program, then, yes. In my situation, no.
 17 Q. Why was your situation different?
 18 A. I had collected information on feline heart
 19 worm disease and topics related to
 20 parasitology. That field of interest would
 21 be narrowed down to either Dr. Blagburn,
 22 possibly Dr. Hendrix, and Dr. Dillon.
 23 Q. Okay. You could have done -- to get your

Page 67

1 Ph.D, you could have done another research
 2 topic; is that correct?
 3 A. Why would I do that? What's the question?
 4 Why would I choose another topic? You've
 5 got all those departments and topics you
 6 can choose from, but I was already in one.
 7 Q. Well, let's just assume that you didn't
 8 have this research that you did for your
 9 master's or it didn't carry over. It
 10 couldn't have carried over. If you wanted
 11 to receive your Ph.D., you could have gone
 12 to any one of these professors in these
 13 departments and -- let me finish -- started
 14 a new research project going towards a new
 15 thesis if you wanted to do that?
 16 A. If I had a change in study, if I wanted to
 17 become an anatomist or a physiologist, then
 18 I guess I could go under one of the
 19 physiology people and make him my new major
 20 professor possibly if he was accepting
 21 graduate students and if he had interest in
 22 that kind of thing. If I was trained in
 23 histology or physiology, I don't think I

Page 68

1 would be hired by a drug company or another
 2 college to teach parasitology or to handle
 3 the parasitocides. You would need that
 4 area, that discipline training.
 5 Q. All of these would have -- you would have
 6 ultimately received a Ph.D. in biomedical
 7 sciences; is that correct?
 8 A. In the last few years, every graduate
 9 student who graduates from Auburn receives
 10 a biomedical sciences degree.
 11 Q. And that would have been what happened in
 12 your case, correct?
 13 A. I didn't get to graduate.
 14 Q. Right. I'm saying if you would have
 15 gotten -- you would have completed your
 16 work under Dr. Blagburn, you would have
 17 graduated with a Ph.D. in biomedical
 18 sciences, correct?
 19 A. That's correct.
 20 Q. If you would have done your work under
 21 Dr. Morris or Dr. Kincaid or any one of
 22 these other professors, you would have
 23 graduated with a Ph.D. in biomedical

Page 69

1 sciences; is that correct?

2 A. Students who graduate under Dr. Kincaid or

3 Morris receive a Ph.D. in biomedical

4 sciences.

5 Q. Okay. Do you think those professors would

6 have accepted you as a student?

7 A. Do they accept me as a student?

8 Q. Would they have? If you had went to them

9 and said, I want to complete a Ph.D. under

10 you, do you think you could have -- the

11 professors besides Dr. Blagburn, do you

12 think you could have gotten someone else to

13 serve as your major professor?

14 A. In the beginning of my master's project?

15 Q. Sure.

16 A. I probably could have.

17 Q. Okay.

18 A. If I was interested in their field. If I

19 was interested in being an anatomist, I

20 probably could have been accepted into the

21 department of anatomy, histology and

22 physiology and learned to be an anatomist.

23 Q. Was Dr. Hendrix a possibility for being a

Page 70

1 major professor for you?

2 A. When I started, yes.

3 Q. Okay. We've been talking about a major

4 professor a little bit, and we talked about

5 it in the context of your master's.

6 Explain what a major professor is in the

7 context of your Ph.D. program.

8 A. It's very similar to what he does in your

9 master's project, he or she. They are your

10 mentor, the apprenticeship relationship.

11 That is who you're supposed to be modeling

12 yourself after. They're the expert in the

13 field that you're interested in. I was

14 interested in parasitology. The expert in

15 the field is Dr. Blagburn. The

16 relationship is he is the head of my

17 committee. My committee is chosen to help

18 me with my research in my different areas

19 of interest. They're supposed to be picked

20 based on helping me outside of just the

21 parasitology area.

22 Q. If you would, tell me how generally a major

23 professor is chosen, identified, whatever

Page 71

1 the correct word is.

2 A. Usually I think -- and I've only been

3 through it once with myself, and it's hard

4 for me to speak for others, but I think

5 graduate students at first can tour the

6 department and see what research is being

7 done by the different professors. And then

8 if they want -- if they're interested in

9 that kind of research and the topics that

10 they're studying, then they can ask them to

11 be their major professor.

12 Q. You say ask them to be. What do you mean

13 by that?

14 A. If they have time to devote to a graduate

15 student, if -- I'm not sure on what their

16 policies are. But you're going to be under

17 them, so their okay is needed, I think.

18 Q. Basically, a major professor is not

19 required to accept you as a student; is

20 that correct?

21 A. I think when you initially start, if --

22 What's that question again?

23 Q. Is a major professor required to accept you

Page 72

1 as a student?

2 A. I'm not sure if they are or not.

3 Q. Well, what do you think?

4 A. I really don't know. I'm not a major

5 professor. I've never been a professor at

6 the college of veterinary medicine. I

7 don't know what they're supposed to do.

8 Q. You mentioned earlier something about their

9 having time and their workload. That seems

10 to suggest that you think that they're not

11 required to accept you.

12 A. That's my assumption. I'm not sure what

13 their guidelines are.

14 Q. Okay. Do you know of anybody going to a

15 major professor and them saying, no, I

16 can't serve in that capacity for whatever

17 reason?

18 A. Not that I know of.

19 Q. Okay. That's never happened?

20 A. Not that I'm aware of.

21 Q. I think you alluded to this, and I might

22 have misunderstood you. Can you begin your

23 course work before you identify a major

Page 73

1 professor, your course work in the Ph.D.
 2 program?
 3 A. I'm not sure how it generally works. And
 4 Dr. Blagburn said he would be my major
 5 professor at some point. I'm not sure if
 6 it was before I started course work or not.
 7 Q. Right. I'm just asking generally. I mean,
 8 you said that you can kind of go around
 9 when you enter the Ph.D. program and then
 10 focus on a particular area. Does that mean
 11 that there are some people that begin
 12 course work for a Ph.D. and then identify a
 13 major professor?
 14 A. I'm not sure. I'm only speculating on
 15 that, of whether that could happen or not.
 16 I'm not sure of the rules, if you have to
 17 have a major professor before you start
 18 your course work or not.
 19 Q. Okay.
 20 A. I know how it worked in my situation.
 21 Q. Right. Do you know of anybody that began
 22 their course work that didn't have a major
 23 professor?

Page 74

1 A. I don't know.
 2 Q. Explain what the committee is. You went
 3 into that a little bit. Go into it in a
 4 little more detail.
 5 A. The committee is a group of people who are
 6 supposed to help the graduate student meet
 7 the requirements, choose courses that are
 8 beneficial to their area of study and
 9 research, and inevitably at the end listen
 10 to their thesis and decide on whether they
 11 have done enough work or not. The
 12 committee is also involved in checking the
 13 progress of the student, his academic
 14 progress and other things, and if they're
 15 not -- if the student is not meeting the
 16 requirements or if they think that his
 17 progress is slowing down, they're to warn
 18 him or her of the work, the progress is not
 19 going as they see planned. They can list
 20 some things that they need to have done.
 21 They're basically there to check and make
 22 sure things are going according to plan;
 23 things are on track.

Page 75

1 Q. Who was on your committee?
 2 A. Dr. Blagburn, Dr. Spencer, Dr. Newton, and
 3 Dr. Dillon.
 4 Q. The committee -- you said at the end --
 5 they monitor your progress, and at the end
 6 they ultimately decide whether you've done
 7 what it takes to graduate; is that correct?
 8 A. They have a role in it, yes.
 9 Q. So graduating is no sure thing, obviously?
 10 A. That's correct.
 11 Q. What are some things that would prevent
 12 somebody from graduating?
 13 A. There are a lot of things that could
 14 prevent somebody from graduating. I
 15 could --
 16 Q. Can you go through some of those?
 17 A. Would it do good to touch on two examples
 18 out of a hundred or a thousand?
 19 Q. Sure. The most likely. How about the most
 20 likely examples?
 21 A. The most likely example to what? To not
 22 finish the program?
 23 Q. Sure.

Page 76

1 A. It's hard to come up with a good example
 2 for that.
 3 Q. Okay.
 4 A. There are plenty of examples. I guess
 5 being killed would be a good one. That
 6 would be a for sure way one that you
 7 wouldn't finish the program. Not being
 8 able to handle the course work would be
 9 another one.
 10 Q. What do you mean by that?
 11 A. As in all degrees and programs, you're
 12 required to take courses. You're required
 13 to keep your GPA above a certain level. If
 14 you fail every course, then they're not
 15 going to keep moving you through the
 16 program and graduate you.
 17 Q. Was being in the Ph.D. program
 18 substantially harder than the DVM or MS or
 19 undergrad?
 20 A. The courses that you're required to take as
 21 a Ph.D. program, like I said earlier, are
 22 the seven to 800 level courses. I think as
 23 you go up from 100, 200, 300, 400, 500,

Page 77

Page 79

1 600, 700, they get harder.
 2 Q. Was it harder for you personally?
 3 A. Some courses are always more challenging
 4 than others, some things come naturally to
 5 people. Sometimes you've had other courses
 6 in that particular topic that can help
 7 you. I only got to take two courses in my
 8 Ph.D. program, which one of them was
 9 advanced endocrinology and the other was
 10 statistics. The statistics course was the
 11 first statistics course I had ever had, so
 12 I didn't have a good foundation in
 13 statistics.
 14 Q. Would you say it was very difficult, then?
 15 A. It was difficult.
 16 Q. Did that affect you in any manner?
 17 A. In what way did it affect me?
 18 Q. Yes. Did it have an effect on you outside
 19 of the classroom? Were you under a lot of
 20 stress because of the difficulties in that
 21 course?
 22 A. I'm not sure if I was under a lot of stress
 23 from that course. It was something that I

1 about my study regimen. Just how I
 2 studied?
 3 Q. Yes.
 4 A. No different from anyone else. I would
 5 take the notes from the class and the
 6 assigned readings and read that information
 7 and try to learn about the particular topic
 8 or class I was studying.
 9 Q. Right. How many hours a day would you
 10 spend in study?
 11 A. It would vary, depending on how much you
 12 knew about the particular topic.
 13 Q. Can you give me a general?
 14 MS. DICKEY: Are you talking about
 15 just those two Ph.D. courses
 16 or --
 17 MR. KNIGHT: Yes.
 18 Q. Just the two Ph.D. courses.
 19 A. How much time out of the day, out of 24
 20 hours, right?
 21 Q. Sure.
 22 A. Anywhere from maybe four hours to eight
 23 hours.

Page 78

Page 80

1 had to work at and study and learn.
 2 Q. Did you have to study -- did you pull all
 3 nighters, things like that?
 4 A. Being in vet school or a Ph.D. program,
 5 you're going to study late nights.
 6 Q. So that's a yes? You would have to spend
 7 long hours studying for this?
 8 A. That course is no different from others.
 9 Q. What about the other course that you
 10 mentioned that you took? What was the name
 11 of it?
 12 A. Advanced endocrinology.
 13 Q. Okay.
 14 A. It was difficult, too.
 15 Q. Very difficult? How did you do in that
 16 course?
 17 A. I think my final grade was a B.
 18 Q. Did you have to spend long hours studying
 19 for it?
 20 A. Definitely. They're all --
 21 Q. How was your study regimen if you can
 22 explain that a little bit?
 23 A. I'm not sure what you want me to tell you

1 Q. What time at night would you study or
 2 during the day?
 3 A. It's hard to recall exactly what time I
 4 studied. It's different for every day.
 5 Sometimes I could study at night on a
 6 Friday or Saturday night. Saturday we
 7 don't have classes, Sunday we don't have
 8 classes. I could study in the morning
 9 time. When I had classes, I couldn't
 10 study. I had to go to class. If I had to
 11 do something, I couldn't study then, but
 12 when I was at home I studied.
 13 Q. How many hours a day were you in class
 14 during the workday?
 15 A. Maybe -- it varied from two to six hours,
 16 maybe, depending on if you had a lab or it
 17 was just a one-hour lecture.
 18 Q. Did you spend most of your free time or a
 19 lot of your free time studying?
 20 A. When you're in a Ph.D. program or when
 21 you're in a professional program, free time
 22 is not the main concern. Studying -- a lot
 23 of free time is used for studying.

Page 81

1 Q. Did you ever take any medication to help
2 you study?
3 A. When was that?
4 Q. When you were doing the Ph.D. program or
5 prior to that. Have you ever taken any
6 medication to help you study?
7 A. Not that I can remember.
8 Q. Nothing at all?
9 A. Dr. Pepper. Caffeine is definitely a drug
10 or a medication used.
11 Q. Caffeine pills?
12 A. Never taken any caffeine pills or anything
13 like that.
14 Q. Okay.
15 A. Maybe coffee or something like that.
16 Q. How many hours of sleep would you get at
17 night on average --
18 A. That's going to vary.
19 Q. -- during the time you were in the Ph.D.
20 program?
21 A. Amount of sleep is going to vary. Some
22 days it may be eight hours, some days it
23 may be six hours.

Page 82

1 Q. Okay.
2 A. Maybe less.
3 Q. Maybe less? You also were working in the
4 parasitology laboratory during this time,
5 correct?
6 A. At the time of --
7 Q. You were in your Ph.D.
8 A. -- fall semester? Yes.
9 Q. How many hours a day would you spend doing
10 that?
11 A. It varied on what needed to be done or as
12 different projects need to be done. In a
13 research project, you may be collecting
14 data for seven days, and then at dayeight
15 you may need to do something, so it's going
16 to definitely vary.
17 Q. Can you give me an average per day?
18 A. How many hours a day did I work at the vet
19 school?
20 Q. Right.
21 A. Anywhere from four to 12 hours.
22 Q. On average?
23 A. Average of that would be eight.

Page 83

1 Q. So you were in class on average from --
2 would you say two to six hours a day?
3 A. Yes.
4 Q. You worked in the parasitology laboratory
5 on average from four to 12 hours a day?
6 A. Some days are going to be longer than
7 others, some days are going to be shorter,
8 knock off early.
9 Q. And you studied on average from -- how many
10 hours a day? I don't recall what you said.
11 A. I don't know what I said. It's tough to
12 say. I think I might have said four to
13 eight, something like that.
14 Q. Okay.
15 A. These are tough averages of time lines.
16 Q. Sure. I understand.
17 A. That's been three years ago.
18 Q. I understand. Working all that -- and I
19 understand. I've been through a
20 professional school. It's very stressful.
21 It was to me, at least. I mean, is that
22 how you would characterize it?
23 A. I didn't find the school that stressing to

Page 84

1 me. I enjoyed it.
2 Q. Did you have any -- were you having any
3 problems outside of school during this
4 time?
5 A. What kind of problems? Can you give me an
6 example?
7 Q. That's what I want from you. Social
8 problems of any sort.
9 A. Social problems? There's always going to
10 be those things in life, social problems.
11 Q. Well, tell me what they were during this
12 time.
13 A. I can't remember exactly right now.
14 Q. Were you dating? Were you married at the
15 time?
16 A. I had a girlfriend, my wife. I'm sure we
17 did -- at least had one fight or had a
18 problem within that three-month period of
19 time.
20 Q. Okay. Can't think of any major problems,
21 altercations that happened during this
22 time?
23 A. No.

Page 85

1 Q. Okay. Go back into a little bit more about
2 how Dr. Blagburn came to be your major
3 professor.
4 A. How he became my major professor?
5 Q. Right.
6 A. I was working in Dr. Blagburn's lab in
7 parasitology, and I asked him or talked to
8 him about the possibilities of me pursuing
9 a master's degree with him. And he said
10 that would be great, that he would love to
11 help me reach that goal, and he would serve
12 as my major professor.
13 Q. This is your master's program, but tell me
14 about how he became your major professor in
15 the Ph.D. program.
16 A. At my exit interview in August or July of
17 2003, he notified the committee that I was
18 going to be continuing my Ph.D. program and
19 that he was going to stay on as my major
20 professor and asked anybody if they wanted
21 to leave my committee or asked them if they
22 all were on board for the next -- for the
23 Ph.D. degree, as far as I know, is kind of

Page 86

1 the way it went.
2 Q. You understood that you had to get his
3 permission to be your major professor?
4 A. I'm not sure if I had to have his
5 permission or not. It was given that he
6 would do it, so I didn't have to --
7 Q. It was given. Who was it given by?
8 A. He said that he would serve as my major
9 professor throughout my Ph.D. program.
10 Q. Do you know if he had the obligation to do
11 so or --
12 A. I don't know. He would -- I'm not a
13 professor at Auburn University, and I don't
14 know what they're obligated to do.
15 Q. Okay. Is there some sort of document or
16 anything that explains the student/major
17 professor relationship?
18 A. There are policies and procedures of
19 graduate study in biomedical sciences in
20 the graduate school. They touch on the
21 relationship between the major professor
22 and the student. Copy of those.
23 Q. Where are those policies and procedures

Page 87

1 found?
2 A. Where are they found?
3 Q. Yes. Where would I locate them?
4 A. In information published by Auburn
5 University, either through the Tiger Cub,
6 the student handbook, the University
7 guidelines, policies and procedures for the
8 graduate school. Biomedical sciences would
9 produce policies and procedures.
10 Q. Did you produce copies of those policies
11 and procedures --
12 A. To?
13 Q. -- to --
14 A. You have a lot of those, I'm pretty sure.
15 Q. You don't specifically know --
16 A. I know you have a copy of the biomedical
17 sciences one. I think you have copies of
18 others.
19 Q. Is that what you're referring to?
20 A. That's the policies and procedures for
21 graduate studies in biomedical sciences,
22 college of veterinary medicine.
23 (Defendant's Exhibit 6 was marked

Page 88

1 for identification.)
2 Q. Can you show me in there, Defendant's
3 Exhibit 6 -- can you show me in there what
4 you're referring to where it discusses that
5 relationship?
6 A. What relationship?
7 Q. The major professor/student relationship.
8 A. And we're looking for a relationship
9 between the major professor and the
10 student?
11 Q. Right.
12 A. When it says, when such a question arises,
13 the obvious source of guidance is the major
14 professor. That would be talking about a
15 student looking for guidance to his major
16 professor.
17 Q. Do you know of any policies that spell out
18 the obligations or lack thereof of a major
19 professor to accept a student as his
20 apprentice?
21 A. Are they obligated? Like I said, I'm not
22 sure if they're obligated or not.
23 Q. I'm asking do you know of any policies that

Page 89

1 are written down that are set out by
 2 Auburn?
 3 A. That says that they're obligated to take a
 4 student?
 5 Q. Or not obligated.
 6 A. Not that I -- I'm not sure if there is or
 7 isn't.
 8 Q. Okay. You don't think that they are,
 9 though. You don't know for a fact, but you
 10 would assume that they're not. Am I
 11 correct in that?
 12 A. You're correct in what assumption?
 13 Q. You would assume that a major professor is
 14 not obligated to accept a student?
 15 A. I'm really not sure whether they're
 16 obligated or not.
 17 Q. Well, let me ask you this. If you were a
 18 student and you were in an MS program or
 19 DVM and were not a very good student, but
 20 you were doing just enough to get by, is
 21 the Ph.D. program required to take you? Is
 22 there a certain threshold that you have to
 23 meet to get into the Ph.D. program?

Page 90

1 A. I think so. I talked about earlier that
 2 you would probably have to have a certain
 3 GPA or something like that. You would have
 4 some guidelines.
 5 Q. Okay. So if I tried to get into the Ph.D.
 6 program with a 2.0 --
 7 A. I doubt you would get accepted.
 8 Q. Doubt I'd get accepted.
 9 And if I went and asked somebody to be
 10 my major professor and I had a 2.0, you
 11 also doubt that they would accept me?
 12 A. I think they -- I'm not sure if they can
 13 accept you or not, but what they would say
 14 is, I'm not sure that you can even get into
 15 the graduate school program and get into
 16 the Ph.D. program with that GPA.
 17 Q. Okay. Anything else in there?
 18 A. Let's see. I was just reading this right
 19 here. And you were talking about before
 20 you were a graduate student or as you
 21 were --
 22 Q. Before, as. Anything that sets out --
 23 A. It says here that when you are a graduate

Page 91

1 student, if a graduate student is deemed to
 2 be making unsatisfactory progress towards
 3 his or her degree -- which would be the GPA
 4 or just getting by -- he or she may be
 5 dropped from the graduate school. The
 6 student's advisory committee must prepare a
 7 statement of grievances and in a meeting
 8 with the student discuss these grievances
 9 and suggest steps necessary for
 10 remediation. The statement of grievance
 11 must have the unanimous support of all
 12 members of the student's advisory
 13 committee. The student will be warned that
 14 corrective measures must be taken within a
 15 specified time period, or action will be
 16 initiated that could result in the student
 17 being dropped from the graduate school.
 18 Q. Okay. From the graduate school. What do
 19 you understand the graduate school to be?
 20 A. Anyone who is in a master's or Ph.D.
 21 program at Auburn University.
 22 Q. Okay. Tell me -- I mean, what is the
 23 graduate school there? At Auburn

Page 92

1 there's -- the undergrad school and the
 2 graduate school are separate, distinct
 3 entities; is that correct?
 4 A. I'm guessing, yes.
 5 Q. Okay. And they have their own deans; is
 6 that correct?
 7 A. I know there is a dean of the graduate
 8 school. The dean of the undergraduate
 9 school, I'm not sure there is an
 10 undergraduate school. That may be Auburn
 11 University as a whole. I'm not sure.
 12 Q. Okay. But they are separate entities,
 13 housed differently?
 14 A. There is a graduate school, which doesn't
 15 have undergraduate students in it, so they
 16 would be separated.
 17 Q. And what's part of the graduate school?
 18 DVM program?
 19 A. No.
 20 Q. No? What school is the DVM program in?
 21 A. It would be the professional part.
 22 Q. Is that different from the graduate school?
 23 A. I'm thinking, yes, it is different.

Page 93

- 1 Q. What about the MS program?
- 2 A. Like I said, the MS and Ph.D. are both
- 3 under the graduate school from what I
- 4 understand.
- 5 Q. So Ph.D., the doctor of philosophy in
- 6 biomedical sciences, is that what you're
- 7 referring to that's in the graduate school?
- 8 A. Is that just repeating what I said?
- 9 Q. I think so, yeah. The Ph.D. is doctor of
- 10 philosophy program in biomedical sciences,
- 11 correct?
- 12 A. Right.
- 13 Is there any way we could take a break
- 14 sometime soon?
- 15 Q. Sure. No problem.
- 16 (Brief recess was taken from
- 17 10:54 a.m. until 11:06 a.m.)
- 18 BY MR. KNIGHT:
- 19 Q. Let me ask you one other thing, kind of off
- 20 the subject of where we were. Did you
- 21 teach any courses in the fall of 2003?
- 22 A. A problem solving course, yes.
- 23 Q. Explain that, what that was.

Page 94

- 1 A. It's where you moderate a group of
- 2 veterinary students through problems and
- 3 help them -- lead them in the right
- 4 direction to solve those problems, if
- 5 they're looking it up or --
- 6 Q. Who were these students? Were they
- 7 master's students?
- 8 A. Veterinary students.
- 9 Q. Okay. Did you ever have problems with
- 10 showing up for class --
- 11 A. Showing up for class?
- 12 Q. -- to teach the class?
- 13 A. That class?
- 14 Q. Yes.
- 15 A. I think it met once a week maybe, and I may
- 16 have had to reschedule once.
- 17 Q. Did you reschedule it or did you just not
- 18 show up?
- 19 A. I can't remember exactly what happened, to
- 20 be honest with you. I just -- I can't
- 21 remember...
- 22 Q. Do you think it's possible that you just
- 23 didn't show up for the class?

Page 95

- 1 A. That doesn't sound like me.
- 2 Q. Is it possible?
- 3 A. Anything's possible.
- 4 Q. How many classes were there?
- 5 A. Maybe eight to 15 or so.
- 6 Q. Any other problems with that class that you
- 7 can remember?
- 8 A. No.
- 9 Q. One other thing. Is Dr. Hendrix a teaching
- 10 professor or research professor?
- 11 A. That's tough. I think all the professors
- 12 have percentages of both, whether they're
- 13 going to be 80 percent teaching, 20 percent
- 14 research. And I don't know that that's
- 15 right by their names, so I don't know what
- 16 exactly it is. But some do -- I think some
- 17 may do all teaching, some may do all
- 18 research, and some do different
- 19 percentages. I would guess Dr. Hendrix
- 20 does some percentage of research and some
- 21 percentage of teaching.
- 22 Q. Generally what would you call it? Teaching
- 23 professor or research professor?

Page 96

- 1 A. In my time there, I think he did the
- 2 majority teaching. Before I got there, I
- 3 heard he did a lot of research.
- 4 Q. Okay. Did you ever have problems in any
- 5 class with a syllabus of any type? Does
- 6 that ring a bell?
- 7 A. I didn't have a problem with it as to say.
- 8 I think I mentioned it in my grievance in
- 9 July, that --
- 10 Q. July of what year?
- 11 A. July of 2004.
- 12 That the syllabus wasn't followed, but
- 13 it wasn't a problem for me. I had agreed
- 14 with the teacher, which is Dr. Billor -- I
- 15 had agreed with her that I would take an
- 16 incomplete for that course and I would take
- 17 it the next semester, and then whatever
- 18 grade I made the next semester would take
- 19 the place of that incomplete. So the
- 20 syllabus, even though it wasn't exactly
- 21 followed -- which they're supposed to do --
- 22 it wasn't a problem for me.
- 23 Q. Any other problems with the syllabus prior

Page 97

1 to that time?

2 A. Some professors in vet school were supposed

3 to produce a syllabus and at times wouldn't

4 or something. I think it's mainly an

5 agreement of what's required of the student

6 and what the course is going to be like is

7 what the syllabus is, and you're supposed

8 to make that available to the student.

9 Q. Did you ever look into filing a grievance

10 related to that?

11 A. I didn't look into filing a grievance for

12 that.

13 Q. You did not?

14 A. What do you mean, look into filing --

15 Q. Did you talk to anybody about filing a

16 grievance?

17 A. No. I mentioned it in my grievance, but I

18 never looked into it or talked to anybody

19 about it.

20 Q. This is your grievance -- the grievance

21 you're referring to is --

22 A. The one I wrote July 27th, 2004.

23 Q. Okay. There's no other grievance that you

Page 98

1 filed prior to July 27th, 2004?

2 A. Filed it with who? I didn't file it with

3 the student academic grievance committee.

4 I've only -- I don't -- you know, I haven't

5 filed one before July 27, 2004 with the

6 student academic grievance committee. If

7 you have a grievance in any type of nature,

8 I would take it to the professor first.

9 They might resolve your grievance, and you

10 wouldn't have to go any further. I did

11 have difficulties with certain things in

12 that class, so I guess those are

13 grievances.

14 Q. And what class is that?

15 A. Statistics.

16 Q. Okay. Let's get out of the Ph.D. program

17 and talk about prior to the Ph.D. program.

18 Did you ever have occasion to look at the

19 grievance procedures for any reason prior

20 to that time?

21 A. I've read over the procedures.

22 Q. And in what context? Why did you read over

23 them?

Page 99

1 A. To familiarize myself with them. Each

2 student who is admitted into the University

3 is told the first few days that they should

4 be aware of the student handbook, the

5 University's grievance procedures, policies

6 and procedures, and follow those and that

7 the faculty will follow those.

8 Q. Did you ever talk to anyone, have them

9 explain the procedures to you?

10 A. I'm sure I've talked to people about the

11 grievance procedures before.

12 Q. Who? Who were those people?

13 A. It's tough to remember exactly. Different

14 people had different grievances. I'd say,

15 well, I think I read about that in the

16 policy, you know. You could maybe look

17 that up. It may help you in that area.

18 Q. Did you talk to Dr. Hendrix about the

19 grievance procedures at any time?

20 A. When I was dismissed from the department of

21 pathobiology on 12/3/2003, I talked to

22 Dr. Hendrix about grievances and breaking

23 policies and procedures. And some of the

Page 100

1 grievances I had was that I was being

2 accused of cheating, and I didn't -- I

3 wanted a hearing on --

4 Q. We're going to get into that a little bit

5 later. I'm just asking you, did you ever

6 have --

7 A. And I talked to him about those grievances

8 and what policies and procedures --

9 Q. Did you get him to explain the procedures

10 to you?

11 A. I took his advice from what he told me. He

12 told me that the next step would be in that

13 instance to go to Dr. Wolfe and take it up

14 with Dr. Wolfe, the head of the department,

15 and then to take it up with Dr. Janicki.

16 And then after Dr. Janicki told me what he

17 told me and I went to Dr. Dillon, then I

18 went back to Dr. Hendrix, and he said,

19 sounds like your main problem's with the

20 head of the department. Who's in charge of

21 the head of the department is the provost.

22 You need to contact the provost's office.

23 Which I did.

Page 101

Page 103

1 I also talked to him in May -- or June
2 of 2004, and I told him that Dr. Blagburn
3 and Dr. Janicki and McFarland had suggested
4 that the incomplete that I had was going to
5 be transferred to a withdraw, and he said,
6 well, they can't do that, you know. That's
7 not right. Why don't you come back and see
8 me when they do it?

9 Q. Okay. I think we were discussing
10 Dr. Blagburn becoming your major
11 professor. Tell me in your own words what
12 you think the major professor should or is
13 supposed to do.

14 A. I answered that question three times about
15 what a major professor is. I think to each
16 student it's going to be a different
17 relationship. They're supposed to head the
18 committee. They're the head of the
19 committee. They're the one who is the
20 mentor relationship with the student. That
21 is who they're mentoring. Your major
22 professor should be what you aspire to be,
23 and he's the expert in the field. He has

1 December 3rd, 2003?

2 A. The only time I was given a progress report
3 about my progress was in August at my
4 meeting. They said I had done really well
5 and I had done great at collecting my
6 information. I had done so well that
7 everybody was staying on board, and they
8 were going to support me through my Ph.D.
9 program.

10 Q. This is prior to you actually entering the
11 program, correct?

12 A. If that was right before the day of your
13 master's ending, then it would be right
14 before your Ph.D. program.

15 Q. Any discussions of your progress when you
16 actually entered the program?

17 A. No.

18 Q. Okay. You and Dr. Blagburn had a close
19 relationship; is that correct?

20 A. Yes.

21 Q. Would y'all talk about problems that you
22 had just generally?

23 A. It's possible.

Page 102

Page 104

1 plenty of knowledge where you can gain
2 from. He's supposed to direct you. If
3 you're following in his footsteps, he's
4 supposed to direct you in the path toward
5 being what he is.

6 Q. What if you aren't doing well in the
7 program, you're having problems? What does
8 the major professor have to do at that
9 point or what should he do or what do you
10 think he should do?

11 A. If you're having problems in the program
12 academically, he should -- he can suggest
13 help for you or maybe give you some
14 advice. His job is not an enemy, it's an
15 adversary. He's supposed to help you.
16 He's there to help you get through it. The
17 goal is to learn and better educate
18 ourselves and the University -- and collect
19 good information. And that's what the
20 University is about, research and
21 knowledge.

22 Q. Did you and Dr. Blagburn have any
23 discussions about your progress prior to

1 Q. Do you recall discussing any problems that
2 you were having?

3 A. In my statistics course, I talked to him
4 about the problems that I was encountering
5 with the computer software programs and
6 what I needed to do. He told me -- he led
7 me -- that's what their job is, to lead you
8 in the direction for help. He thought
9 that -- I'm trying to think of the doctor's
10 name. There's a doctor in pathobiology who
11 does statistics work. I think his name is
12 Dr. Wright. And he led me in that
13 direction, to go talk to him about my
14 statistics.

15 Q. So with this problem, he helped you out
16 with it, correct?

17 A. He led me to Dr. Wright.

18 Q. And that was help? He was trying to help
19 you?

20 A. It was.

21 Q. Okay. Any problems, any other problems
22 outside of the course work? Any problems
23 in the lab that you discussed?

Page 105

1 A. Not in detail, but there might have been
2 mentionings of certain things that happened
3 in the lab, asking, did you do that? Do
4 you know who did that? Just normal
5 interactions in that kind of sense.
6 Q. Tell me what these things were or are.
7 A. Somebody left a coffee cup on a poster
8 presentation one time, and it made a ring
9 stain on it. And somebody in the lab had
10 said that I was carrying a coffee cup
11 earlier that day and suggested that maybe I
12 left that coffee cup there and stained and
13 ruined that poster. He asked me did I, and
14 I said no.
15 Q. Anything else?
16 A. Let me think on that for a second. Looking
17 back at it, hindsight, I might have been
18 made aware of things that happened at that
19 time that at that time I was not made aware
20 about that I didn't talk to Dr. Blagburn
21 about. Now I do know that maybe some
22 things were said to him about me that
23 problems might have been there, but to my

Page 106

1 knowledge, it wasn't a problem. It wasn't
2 an issue that was made aware to me.
3 Q. Tell me what those things that might have
4 been mentioned to him were.
5 A. In your answer to my complaint legally, it
6 says that I had committed infractions and I
7 had -- the infractions were numerous
8 complaints about my erratic and
9 inappropriate behavior. One incident
10 was -- one infraction was propositioning
11 another female graduate student to take a
12 statistics examination for me. I was
13 made aware then. Now I can think back on
14 that. It was never brought to my attention
15 at the time. No one ever talked to me
16 about those instances as being a problem or
17 an issue.
18 Q. What other instances are you talking about?
19 A. What? I'm not understanding.
20 Q. What other problems did someone make
21 Dr. Blagburn aware of that you didn't know
22 at the time but you now know of?
23 A. Those. I'm not sure what those are. You

Page 107

1 would have to ask Dr. Blagburn.
2 Q. You don't know specifically?
3 A. I don't know the specifics behind them. I
4 was never made aware. I never -- if
5 anybody accused me of anything, they never
6 called my accuser and called me in and let
7 me see what I was being accused of. People
8 can mention things behind your back, and if
9 you're never made aware of them, then you
10 won't know. And I don't know.
11 Q. Is a major professor required to stay with
12 a student until he completes his Ph.D.?
13 A. I'm not sure about what a major professor's
14 requirements are. I'm not sure on that.
15 I've never heard of that many major
16 professors while I was there that didn't
17 stay with their student.
18 Q. Of that many. Did you hear of some that
19 did not?
20 A. I don't know of any.
21 Q. Okay. Do you know if it's written down
22 anywhere that says whether a major
23 professor can or cannot withdraw?

Page 108

1 A. I don't know.
2 Q. Do you know of any major professor before
3 you entering the Ph.D. program ever
4 withdrawing?
5 A. A major professor entering a Ph.D.
6 program?
7 Q. No. Before you entered the Ph.D. program,
8 withdrawing from being a major professor
9 for somebody.
10 A. I was just a student there. They didn't
11 tell me everything that happened in the
12 history at Auburn, so, no, I don't.
13 Q. What happens if a student's major professor
14 leaves the school?
15 A. I don't know what happens.
16 Q. What do you think would happen?
17 A. What do I think would happen?
18 Q. Yes.
19 A. Surely he would make some arrangements to
20 find that student another major professor
21 in the same area of discipline or interest
22 that he was interested in and help pass
23 that along in some way or fashion that

Page 109

1 would help him find a new area. Since he
 2 was the one leaving, he would help that
 3 student. Surely he wouldn't just leave him
 4 out there in the cold to fend for himself,
 5 say, good luck, I'm out of here.
 6 Q. What if a major professor dies when he's
 7 serving in that capacity? What would that
 8 student have to do at that point?
 9 A. It seems like someone would step in and
 10 help them. It's all about -- their goals
 11 are the same. In most circumstances, the
 12 goal is to help the student get through the
 13 program and graduate.
 14 Q. Do you agree that some people, for whatever
 15 reason, whether it be problems that they
 16 may be having, should not become -- should
 17 not receive their Ph.D.?
 18 A. What problems would that be?
 19 Q. I mean, do you think there are some
 20 circumstances where people in a Ph.D.
 21 program who enter the Ph.D. program should
 22 not be allowed to receive their Ph.D.
 23 degree?

Page 110

1 A. My opinion is not weighed on that, on
 2 whether they should get their Ph.D. or
 3 not. From what I understand, I've received
 4 three degrees from Auburn University. What
 5 you have is a list of policies and
 6 procedures and requirements needed. You
 7 need to meet those requirements, and then
 8 you will receive your Ph.D. program -- or
 9 you will receive that degree if you meet
 10 these requirements. I don't know why my
 11 opinion on whether they should get their
 12 degree or not -- that seems kind of -- you
 13 know, who's the final authority? That's
 14 why you can't --
 15 Q. Who is the final authority?
 16 A. That's why those rules and policies and
 17 procedures are put into play.
 18 Q. And what rules and policies and procedures
 19 are you referring to?
 20 A. The ones put out by Auburn University.
 21 Q. Which ones are those specifically?
 22 A. All of them.
 23 Q. All of them?

Page 111

1 A. The Tiger Cub, the handbooks, the policies
 2 and procedures, the policies and procedures
 3 for graduate school students.
 4 Q. You're referring to --
 5 A. Not just that one.
 6 Q. But that is part of it, what you're --
 7 A. That is part of it.
 8 Q. Exhibit 6?
 9 A. Yes.
 10 Q. Okay. Which is the biomedical -- graduate
 11 studies in biomedical science?
 12 A. When you read that, it will say that you
 13 can refer to the other rules and policies
 14 and procedures, which would be the Tiger
 15 Cub, the Auburn Bulletin.
 16 Q. What if a student and a major professor
 17 just aren't getting along? What do you
 18 think should happen in that regard?
 19 A. Not getting along. They need to work
 20 through their differences. If people
 21 aren't -- people aren't always going to get
 22 along in life, but you can't stop working
 23 together. You need to get through your

Page 112

1 grievances. I don't see how that relates
 2 to me in particular.
 3 Q. Well, I didn't say that it did
 4 specifically, but I'm asking you
 5 generally. You can perceive circumstances
 6 where a major professor and his student can
 7 just certainly no longer work together?
 8 A. I can foresee that.
 9 Q. What do you think should happen in that
 10 event?
 11 MS. DICKEY: I'm going to object
 12 because he's already answered
 13 that question. I mean, he
 14 answered that if there's a
 15 personality clash or just
 16 problems between major
 17 professor and student, work
 18 through those problems. I
 19 don't know what else you want
 20 him to say.
 21 MR. KNIGHT: Well, that's not the
 22 question.
 23 Q. The question is, then, the follow-up

Page 113

Page 115

1 question was there are certainly
 2 circumstances that you can foresee where
 3 differences are just so much they cannot
 4 continue to work together.
 5 A. Which is not related to what I was -- the
 6 situation I was in.
 7 Q. And I didn't say it was, but you're
 8 obligated to answer the question.
 9 A. What's the question again?
 10 Q. In the circumstance where a student and a
 11 major professor, the differences between
 12 them are so much, so great that they cannot
 13 continue to work together, what do you
 14 think should happen?
 15 A. I think that if -- if there's no way that
 16 they can resolve their differences, that
 17 you should find someone similar in that
 18 student's field of interest and try to
 19 place them under that person so that
 20 they -- the student can continue to study
 21 the field that he's interested in.
 22 Q. Another major professor? They should get
 23 another major professor?

1 Q. Okay. Can you continue research work
 2 without a major professor?
 3 A. It would be difficult to know.
 4 Q. I'm sorry. Repeat that.
 5 A. I don't think that you could in the
 6 majority of the situations continue doing
 7 research without your major professor, but
 8 in some circumstances it may be possible.
 9 Q. Do all Ph.D. students receive a stipend,
 10 some sort of funding?
 11 A. I'm not sure about all Ph.D. students. I
 12 know that I did.
 13 Q. Okay. So some do? Tell me about what that
 14 is.
 15 A. I think it may be unique at Auburn
 16 University as compared to other schools.
 17 In most schools, I think to do graduate
 18 school research and studying to get into
 19 the graduate school, admission -- tuition
 20 is free. At Auburn University it is a
 21 cost. When you are a research student, if
 22 you do work in their lab, they do pay you
 23 for that work most times. They don't

Page 114

Page 116

1 MS. DICKEY: That's what he said.
 2 Q. Is that correct?
 3 A. Yes, another major professor.
 4 Q. Can a student complete his or her course
 5 work without a major professor? In this
 6 instance where for whatever reason the
 7 major professor leaves, dies, whatever, can
 8 a student continue with his or her course
 9 work?
 10 A. I guess that's up to the graduate school.
 11 Q. Okay. You don't know one way or the other?
 12 A. At some point, the rules for a Ph.D.
 13 program and a master's program says you
 14 have to have -- and which I think I've made
 15 available for you the checklist of the
 16 degree. It tells you that at some point
 17 you need to have a major professor, get a
 18 committee together, and go from there at
 19 that point.
 20 Q. That's in order to graduate, correct?
 21 A. That's moving through the program. I'm not
 22 sure if it says that you can't take the
 23 classes without a major professor or not.

1 expect you to work for free. So you are
 2 given a stipend, and that helps fund you
 3 because you're going to spend a lot of time
 4 working on your research. That's work
 5 where you can't go get another job
 6 somewhere and earn money, so they will pay
 7 you money for your work and to help in
 8 tuition costs, I'm sure.
 9 Q. Can you complete your Ph.D. without
 10 receiving a stipend?
 11 A. I think that would be possible.
 12 Q. Okay. And how much was your stipend that
 13 Dr. Blagburn provided?
 14 A. In my Ph.D. program, I think it was \$23,500
 15 a year.
 16 Q. A year? Okay. How much was that monthly,
 17 if you can recall?
 18 A. Less than \$2,000.
 19 Q. Did you also get paid for working in the
 20 lab on top of that, or was all of that
 21 included?
 22 A. All that is included.
 23 Q. Okay. Let's talk about the parasitology

Page 117

1 lab a little bit. Generally, what is that?

2 A. The parasitology lab is a lab in the

3 department of pathobiology where topics of

4 parasite infections come into play. They

5 also conduct research there. They also

6 read fecal results or do parasitology

7 diagnostics in that lab for the vet

8 school. They do research. They do

9 diagnostics for the vet school. At the

10 college of veterinary medicine there's also

11 a veterinary hospital, so they're going to

12 do the diagnostics there. They're also in

13 charge of setting up the labs for the

14 parasitology classes for the veterinary

15 students to take.

16 Q. And you began working in this lab at what

17 time?

18 A. I think it was the summer of 1998 is what I

19 said.

20 Q. And you worked in the lab all the way

21 through up until December of 2003?

22 A. I think there may have been some times that

23 I was not working in that lab.

Page 118

1 Q. Okay.

2 A. I don't remember the exact --

3 Q. There wasn't a year-long break, though; is

4 that correct?

5 A. Let's see. I started in '98. There may

6 have been during the first part of my

7 freshman or sophomore year that I didn't

8 receive a paycheck to work there. I'm not

9 sure if I was there working, didn't get

10 paid, or if I wasn't there.

11 Q. Okay. Was there a faculty member in charge

12 of the lab?

13 And when I say the lab, can we agree

14 that I'm referring to the parasitology lab?

15 A. Uh-huh (positive response).

16 Q. Okay. Was there a faculty member that was

17 in charge of that lab?

18 A. I would say that that lab is under the

19 supervision of Dr. Wolfe, the head of the

20 department of pathobiology, and also two

21 major players in that lab would be

22 Dr. Hendrix and Dr. Blagburn.

23 Q. Okay. Who hired you, so to speak, to work

Page 119

1 in the lab?

2 A. I turned my application in to Jamie Butler,

3 and then she notified me that I was hired.

4 Q. Okay. Did you know who she got --

5 A. No.

6 Q. -- authority from to hire you?

7 A. No.

8 Q. Who was the most prevalent faculty member

9 in the lab? Was it Dr. Blagburn?

10 A. It's 50-50 at times, Dr. Blagburn,

11 Dr. Hendrix. At some times it would be the

12 majority Dr. Blagburn.

13 Q. Okay. Do you know who was in control of

14 funding for the lab?

15 A. I'm not sure.

16 Q. Okay. You say your stipend that

17 Dr. Blagburn provided to you covered

18 both -- was both compensation for your work

19 towards your Ph.D. and for your work in the

20 lab; is that correct?

21 A. The paycheck I got I assumed was for the

22 research and the work that I was doing

23 toward that mainly, and that I did work in

Page 120

1 the lab when asked --

2 Q. Did you get a separate paycheck?

3 A. -- whether I got paid or not. No separate

4 paycheck.

5 Q. It all came in together? You're not sure

6 how it was all separated out?

7 A. No.

8 Q. Do you know how basically Dr. Blagburn's

9 funding worked? Does he get a certain

10 amount of money each year for research for

11 this and that? Do you know how that works?

12 A. I'm not sure how his funding works.

13 Q. Okay. How was the lab related to your

14 Ph.D.?

15 A. I would say it's there for its use. That's

16 where some of the equipment is. But it's

17 not necessary to use that lab to do the

18 research that I was doing.

19 Q. Okay. You were able to go out other

20 places and do the research for your Ph.D,

21 correct?

22 A. Not all of it. A lot of my research

23 collection was done at the humane society.

Deposition of Christopher Eiland

Eiland vs. Blagburn

April 17, 2006

Page 121

1 Q. Right.
 2 A. And then I brought, of course, some work
 3 back to the lab and did it there. Heart
 4 worm tests, fecals, that was run in the
 5 parasitology lab. And I also used -- I
 6 used that lab and the lab right beside it.
 7 Q. The checks that you got from Auburn, did
 8 they say from Auburn University?
 9 A. They did say Auburn University on them.
 10 Q. That's who they were from is Auburn?
 11 A. Yes.
 12 Q. Okay. Other students worked in the lab
 13 with you?
 14 A. When I worked in the lab, there were other
 15 students who worked in the lab.
 16 Q. Can you tell me which ones you remember
 17 working with and when you worked with them?
 18 A. From 1998 until 2003?
 19 Q. Yes.
 20 A. Their names just don't pop in my head right
 21 now.
 22 Q. Can't remember any of them?
 23 A. There was a guy named Dennis that was

Page 122

1 there.
 2 Q. Okay. When did he work there?
 3 A. In 1998.
 4 Q. Okay. Who else?
 5 A. I just do not have those names in my head.
 6 If I saw a list of them, I could pick them
 7 out, but off the top of my head, I'm just
 8 not going to be very good coming up with
 9 these names.
 10 Q. What about a student by the name of Jamie
 11 Butler?
 12 A. Jamie Butler is the lab supervisor.
 13 Q. She's not a student?
 14 A. Not that I'm aware of.
 15 Q. Okay. Any other people who worked in the
 16 lab who were not students?
 17 A. Is there anybody else who worked in the lab
 18 who was not a student? Yes.
 19 Q. Okay. Who was that?
 20 A. Tracey Land would not be considered a
 21 student.
 22 Q. Anybody else?
 23 A. I think the rest of them were students.

Page 123

1 Q. And how many would you say there were?
 2 A. You know, the parasitology lab had four or
 3 five students on average to help them
 4 collect their research and to help them in
 5 the lab.
 6 Q. Okay. Four or five different ones at
 7 various times, or was it the same group?
 8 A. No, it was a revolving type door.
 9 Q. Okay. Do you know if Dr. Blagburn had the
 10 authority to terminate people's employment
 11 in the laboratory?
 12 A. I don't know if he had the authority or
 13 not.
 14 Q. Do you know that he did not have the
 15 authority?
 16 A. I do not know that he did not have the
 17 authority.
 18 Q. Okay. Did you ever know him to end
 19 someone's employment in the laboratory
 20 besides yourself?
 21 A. I'm not aware or don't remember him
 22 terminating somebody else's employment in
 23 the lab. I don't remember him terminating

Page 124

1 somebody else's employment in that lab. I
 2 don't remember.
 3 Q. Okay. What were your duties in the lab
 4 generally?
 5 A. At what time?
 6 Q. Duties. What did you do?
 7 A. At what time?
 8 Q. Summer and fall of 2003.
 9 A. My duties were in the summer of 2003 to
 10 finish up my thesis, and a lot of that time
 11 was done reading articles and writing my
 12 work and getting it ready for publication.
 13 Q. That's what you were doing in the lab as
 14 part of your employment?
 15 A. At times -- at times that's what I was told
 16 to spend my time on.
 17 Q. Employment-related things, did you assist
 18 other students?
 19 A. I would assist. If there was something
 20 that needed to be done, I was always
 21 assisting.
 22 Q. Just give me an example.
 23 A. A fecal needed to be read, so I read it.

Page 125

1 Q. Okay.
2 A. Something needed to be counted, I counted
3 it.
4 Q. Did you have to grade assignments, anything
5 like that?
6 A. I think that we did grade quizzes at times.
7 Q. Okay. Did you have to work closely with
8 students in the lab would you say? I mean,
9 you -- there was some interaction between
10 you and students; is that correct?
11 A. There wasn't a whole lot. My role there is
12 not to influence those students or to do
13 anything with them. I have no say in what
14 they're doing or anything.
15 Q. But you did have interaction with students,
16 correct?
17 A. I talked to the students, I'm sure.
18 Q. Okay.
19 A. In a friendly, hello, how are you, and
20 interacted with them in that fashion.
21 Q. Did you ever have any confrontations,
22 arguments, something like that with
23 students or other workers in the lab?

Page 126

1 A. Not a particular instance that I can
2 recall.
3 Q. Nothing you can recall?
4 A. No.
5 Q. Nothing at all?
6 A. Not enough to elaborate on that I can even
7 remember.
8 Q. During the summer and fall of 2003, who
9 else worked with you in the lab?
10 A. There was another graduate student there
11 named Sarah.
12 Q. Do you know her last name?
13 A. No. Jamie Butler was there, Tracey Land
14 was there. There were two guys and two
15 girls that I could pick out their face that
16 worked there.
17 Q. Okay. And Jamie Butler was lab supervisor?
18 A. I'm guessing that's what her title is.
19 Q. She was not a student?
20 A. That's correct.
21 Q. Okay. How long had she been working there?
22 A. Ever since I started there.
23 Q. Did you get along with Jamie Butler?

Page 127

1 A. I got along with Jamie Butler fine.
2 Q. Would she agree with that?
3 A. I'm not sure if I can answer that for
4 Jamie. At times I've heard that she may
5 have complained about me, but never to my
6 face that I know of.
7 Q. Did she have any reason to make up those
8 complaints?
9 A. I have no idea what her reasons would be to
10 make up something.
11 Q. Do you know of any reason why she would
12 make up complaints about you?
13 A. Jamie and I didn't -- weren't on the same
14 page about everything.
15 One thing I remember about Jamie is
16 that when I graduated with my DVM and I
17 came into the lab, people said,
18 Dr. Eiland. And she said, I'm -- after I
19 left, somebody told me that Jamie said,
20 I'll never call him Dr. Eiland, you know?
21 I just never will. And when I hear that
22 kind of stuff, I'm thinking she must have
23 some kind of problem with me.

Page 128

1 To my face, we did projects together
2 many times and got along and worked fine
3 together. At other times, I'm sure it was
4 difficult at times, but we seemed to work
5 through it.
6 Q. Okay. Did you ever have any problems with
7 her that you saw her as -- you mentioned
8 the thing about the Dr. Eiland thing. Is
9 there anything else that you had a problem
10 with?
11 A. That might have been a problem for her, and
12 she might have had other problems with me,
13 but I didn't have a problem with her.
14 Q. Do you have any recollection or do you know
15 if she ever reported any problems between
16 you and her or involving you to
17 Dr. Blagburn?
18 A. To my knowledge, I have no proof that she
19 ever went to Dr. Blagburn and complained
20 about me. I was never in the room. There
21 was never a formal complaint. I was
22 never -- whatever the complaint was, it was
23 never -- I was never brought up to have a

Page 129

1 hearing on it or a disciplinary charge or
 2 anything like that.
 3 Q. Do you ever recall a time when you removed
 4 all of the personal items off her desk,
 5 boxed them up?
 6 A. I do not recall that. I might recall her
 7 saying that I had touched some of her
 8 personal items, which to my knowledge
 9 consisted of a muscle body builder in a
 10 bikini outfit that was hanging in the lab.
 11 Pictures like that I may have taken down
 12 and put in a folder or something like that,
 13 not knowing that they were hers, but just
 14 putting them down.
 15 Q. You didn't know the body building whatever
 16 that was was hers?
 17 A. It didn't have her name on it. I didn't
 18 know.
 19 Q. So everything to be somebody's has to have
 20 their name on it; is that correct?
 21 A. That's not correct.
 22 Q. Okay.
 23 A. But I don't know that it was hers.

Page 130

1 Q. Who else's could it have been? Did you
 2 think it was Dr. Blagburn's?
 3 A. I don't think it was Dr. Blagburn's.
 4 Q. You probably thought it was hers, didn't
 5 you?
 6 A. I'm not sure whose it was.
 7 Q. Where was it located?
 8 A. As you walk into the door, hanging on a
 9 pole.
 10 Q. Did you ever ask anybody about it before
 11 you took it down?
 12 A. I'm sure I did ask about what that was
 13 doing up.
 14 Q. Who did you ask?
 15 A. Just in general to people.
 16 Q. Did you ask Jamie?
 17 A. I may have asked her about it.
 18 Q. Okay. And you think she probably would
 19 have told you it was hers at that point if
 20 you had asked her about it?
 21 A. I'm not sure it's that important to claim
 22 ownership of it, like it's hers. It's a
 23 picture of a body builder in a bikini. It

Page 131

1 might have been a joke. It might have
 2 been -- I don't know -- somebody's
 3 boyfriend. I don't know what it was.
 4 Q. You just took it down, put it in -- where
 5 did you put it?
 6 A. I'm not sure I took it down. I'm saying
 7 that if that was up there, in my mind I
 8 would have liked to have taken that down,
 9 and I wouldn't have --
 10 Q. I thought you told me -- I might have
 11 misunderstood you, but I thought you told
 12 me you took it down and put it in a desk or
 13 something --
 14 A. I said I think I might have taken it down.
 15 My memory on this instance -- I know it's
 16 important, but if I did something to it, I
 17 may have taken it down and placed it on the
 18 table or in a folder or something where it
 19 wouldn't be seen.
 20 I think the circumstances revolving it
 21 were that a pharmaceutical representative
 22 was coming in that day to do a lot of work
 23 in the lab, and I thought it might be

Page 132

1 offensive to her or him, and that's why I
 2 took it down.
 3 Q. So you did take it down?
 4 A. If I did.
 5 Q. Okay. Did you ever have any issues with
 6 Jamie Butler about rearranging the
 7 parasitology laboratory, moving things here
 8 and there?
 9 A. At different times throughout the five
 10 years, I may have suggested a better
 11 organization to the lab or that it needed
 12 to be a little bit more tidy. No different
 13 from Dr. Hendrix or Blagburn or other
 14 people making suggestions about it.
 15 Nothing was ever done, but suggestions were
 16 made.
 17 Q. You made these suggestions to Jamie Butler?
 18 A. If I thought they would be beneficial or
 19 help the lab be more efficient, then I
 20 might have made those suggestions to her.
 21 Q. Okay. And you said the way Dr. Hendrix and
 22 Dr. Blagburn would. They were faculty
 23 members at Auburn, correct?